

for the creation of a Federal industrial commission having all powers necessary to deal with the economic problems that underlie unemployment in any and all fields of industry, agriculture, and commerce; to the Committee on the Judiciary.

8300. By Mr. CULLEN: Petition of the board of directors of the Maritime Association of the Port of New York, urging the Secretary of War to give due consideration to the requirements of our shipping using the Panama Canal, and urging that early action be taken to increase the hours of operation; to the Committee on Interstate and Foreign Commerce.

8301. Also, petition of Sons of the Revolution in the State of New York, urging a suitable appropriation to acquire land in the town of New Windsor, Orange County, N. Y., to erect a perpetual memorial to George Washington; to the Committee on Military Affairs.

8302. Also, petition of Military Order of the World War, favoring legislation which will bring about an adequate increased pay and allowances for our Army, Navy, Marine Corps, and allied services; and also favoring a program of universal draft in time of national emergency, which will include both industry and manpower; to the Committee on Military Affairs.

8303. Also, petition of Military Order of the World War, advocating an adequate national defense policy by the Federal Government, with sufficient appropriations for the placing and maintenance of the Navy on the basis of the London naval treaty, an adequate Regular Army, National Guard, Organized Reserves, Reserve Officers' Training Corps, and citizens' military training camps; to the Committee on Military Affairs.

8304. Also, petition of Military Order of the World War, urging the Congress of the United States to enact such laws as will prevent the spread of propaganda by communists and the abuse of free speech by treasonable utterances, and also urging that all authorities in charge of educational activities in the United States be urged to require of all teachers that they swear allegiance to the United States and its Constitution by an oath in writing; to the Committee on the Judiciary.

8305. Also, petition of Board of Commissioners of Pilots of the State of New York, seeking an early appropriation by Congress of the necessary funds to permit of the acquisition by construction or otherwise of additional vessels of a suitable type to enable the captain of the port to meet the demands for a more efficient patrol and supervision over the waters of the harbor, together with the addition of the personnel necessary to operate the same; to the Committee on the Merchant Marine and Fisheries.

8306. Also, petition of New York State Conservation Association, urging favorable consideration of items in the appropriation bill for the United States Department of Agriculture for 1931-32 that provide for the work of the northeastern forest experiment station, and also urges most strongly that Congress provide necessary increase in Federal appropriation for the suppression of the gypsy moth; to the Committee on Appropriations.

8307. By Mr. GARBNER of Oklahoma: Petition of Western States Aeronautics Association, suggesting creation of Federal-State airway system; to the Committee on Interstate and Foreign Commerce.

8308. Also, petition of Bernard Gill Post, No. 16, of the American Legion, State of Oklahoma, indorsing immediate reissuing of World War adjusted-service certificates in negotiable bonds; to the Committee on Ways and Means.

8309. Also, petition of the Oklahoma State Association of Master Plumbers, indorsing the Capper-Kelly fair trade bill; to the Committee on Interstate and Foreign Commerce.

8310. Also, petition of Fred W. Bacher, indorsing legislation to put Muscle Shoals into immediate operation; to the Committee on Military Affairs.

8311. By Mr. HESS: Petition of various residents of Cincinnati, Ohio, requesting the early passage of House bill 7884, as reported by the Committee on the District of Columbia; to the Committee on the District of Columbia.

8312. By Mr. O'CONNOR of New York: Resolution of the New York State Waterways Association, in opposition to transfer of all or any part of the State canal system of New York under the terms and conditions set forth in the rivers and harbors act of 1930, and urging its repeal, and also opposing all negotiations therefor until it has been repealed; to the Committee on Rivers and Harbors.

8313. Also, resolutions of the board of directors of the Maritime Association of New York, urging 24-hour operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

8314. By Mr. ROMJUE: Petition of merchants of Edina, Mo., urging the passage of the Capper-Kelly bill; to the Committee on Interstate and Foreign Commerce.

8315. By Mr. SANDLIN: Petition of veterans of the World War of Mansfield, Cedar Grove, Arcadia, and Minden, La., concerning proposed legislation to pay adjusted-compensation certificates in cash; to the Committee on Ways and Means.

8316. Also, petition signed by veterans of the World War of Logansport, Plain Dealing, Spring Hill, and Oil City, La., concerning proposed legislation to pay adjusted-compensation certificates in cash; to the Committee on Ways and Means.

8317. By Mr. SMITH of West Virginia: Resolution of officers and members of Pocahontas County Post, No. 50, American Legion, of Marlinton, W. Va., favoring the enactment of legislation providing for payment of soldiers' adjusted certificates in cash; to the Committee on Ways and Means.

8318. By Mr. TEMPLE: Petition of American Legion Post, No. 165, Bentleyville, Pa., urging the passage of legislation providing for the payment of the adjusted-compensation certificates; to the Committee on Ways and Means.

SENATE

FRIDAY, DECEMBER 19, 1930

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, who through Thy blessed Son hast taught us when we pray to say "Our Father," as we enter Thy very audience chamber, where we take refuge from the worthlessness of the world and the baseness of our own hearts; comfort us, though the air of the world be tremulous with anguish, with the assurance that prayer is helplessness casting itself on power, it is misery seeking peace, it is hatred desiring love. Satisfy us, as we feel the insufficiency of our mortal life, with the knowledge that prayer is corruption panting for immortality, it is the eagle soaring heavenward, it is the dove returning home. Empower us, though sin enthralls and buffeting cares oppress, with the confidence that prayer is the prisoner pleading for release, it is the mariner steering for the haven amid the dangerous storm, it is the soul escaping to the empyrean, bathing its ruffled plumage in the ethereal and the divine.

Hear us for the sake of Him in whom mercy and truth have met together, righteousness and peace have kissed each other, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM NEW HAMPSHIRE

The VICE PRESIDENT laid before the Senate the credentials of HENRY W. KEYES, chosen a Senator from the State of New Hampshire for the term commencing March 4, 1931, which were read and ordered to be filed, as follows:

STATE OF NEW HAMPSHIRE,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November, 1930, HENRY W. KEYES was duly chosen by the qualified electors of the State of New Hampshire a Senator from said State to represent said

State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1931.

Witness: His excellency our governor, Charles W. Tobey, and our seal hereto affixed at Concord, this 15th day of December, A. D. 1930.

By the governor, with advice of the council.
[SEAL.] CHAS. W. TOBEY, Governor.
ENOCH D. FULLER, Secretary of State.

AMOUNT OF MONEY IN CIRCULATION (S. DOC. NO. 233)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, in response to Senate Resolution 367, requesting information showing the amount of money in circulation in the United States for the years 1919, 1920, and including each succeeding year up to 1930, which, with the accompanying papers, was ordered to lie on the table and to be printed.

TRIBUTE TO THE LATE SENATOR OVERMAN

Mr. TYDINGS. Mr. President, I ask unanimous consent to have printed in the RECORD a tribute by Mrs. George F. Richards to former Senator OVERMAN, which appeared in the Worcester Gazette of December 15, 1930.

The VICE PRESIDENT. Without objection, it is so ordered.

The tribute is as follows:

For many a year I have sat in the press gallery, and during that time have witnessed scenes of sorrow and even tragedy, but never have I seen such genuine and widespread evidence of affection and emotion as shown when the announcement of the death of Senator OVERMAN, of North Carolina, was made. His friend and colleague of 25 years' standing, Senator SIMMONS, of North Carolina, rose and told of his death; then began to read a resolution of regret. As he went on his voice grew weaker, a long pause followed, then with tears streaming from his eyes, Mr. SIMMONS was heard to murmur, "I can not finish it," and a page quickly stepped to his side, took the resolution to the desk, where it was read by the clerk of the Senate.

Was Senator SIMMONS the only man present whose eyes were moist or whose tears overflowed? He was not. Many a Senator classed by the public as "hard boiled" made no attempt to conceal his grief; many a Senator whose political crust is hard as steel was seen with tears coursing down his cheeks. For Senator OVERMAN was beloved by them all, regardless of political affiliation.

You see Mr. OVERMAN was a "gentleman of the old school." He never appeared on the floor of the Senate except in a black frock coat; he never failed in kindly, friendly courtesy, no matter under what provocation. His service in Congress for nearly 30 years had been ever marked with bright gold stars of integrity and good faith. His friendliness, courtesy, and never-failing kindness were inbred. And that every Senator loved him was shown plainly by their tense silence, bowed heads, and welling tears, when the announcement of his death was read.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by Rogers Chapter No. 4, Disabled American Veterans of the World War, Washington, D. C., favoring the prompt payment in full of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

He also laid before the Senate resolutions adopted by the Pender (Nebr.) Chamber of Commerce, favoring the passage of special legislation for the relief of distressed Indians on the Omaha and Winnebago Reservations, Nebr., which were referred to the Committee on Indian Affairs.

He also laid before the Senate resolutions adopted by the Mahoning County (Ohio) Chapter, Reserve Officers' Association of the United States of America, favoring the passage of legislation outlawing the Communist Party in America, immediately expelling all alien members of the Communist Party or any alien communists, and providing that no products or goods made in or imported from Soviet Russia be allowed to enter the United States, which were referred to the Committee on Immigration.

Mr. JONES presented a resolution adopted under the auspices of the Chelan County Woman's Temperance Union, of Wenatchee, Wash., praying for the passage of legislation providing for the Federal supervision of motion-picture films in interstate and foreign commerce, which was referred to the Committee on Interstate Commerce.

Mr. REED presented the petition of members of various departments of the social sciences in the University of Pittsburgh, Pa., praying for the ratification of the World

Court protocols, which was referred to the Committee on Foreign Relations.

Mr. BROOKHART presented a petition of sundry citizens of Pleasantville, Iowa, praying for the prompt payment in cash of the adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens and members of the Victory Lutheran Church, of Minneapolis, Minn., praying for the passage of the so-called Brookhart booking bill, relative to motion-picture films, which was referred to the Committee on Interstate Commerce.

Mr. WATERMAN presented a petition of sundry citizens of Durango and vicinity, in the State of Colorado, praying for the prompt passage of legislation restricting all immigration of whatever character for a period of not less than two years, which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Durango and vicinity, in the State of Colorado, praying for the adoption of an amendment to the Constitution excluding aliens from the count of the whole number of persons in each State in apportioning Representatives among the several States according to their respective numbers, which was referred to the Committee on the Judiciary.

Mr. COPELAND presented a communication from the Board of Trade of Warwick, N. Y., which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

WARWICK, N. Y., December 16, 1930.

HON. ROYAL S. COPELAND,
United States Senate, Washington, D. C.

DEAR SENATOR: The following resolution was adopted by the Warwick Board of Trade unanimously, representing the interests of this community. This resolution is submitted to you for such consideration you may deem proper:

"Be it hereby resolved, That the Warwick Board of Trade go on record as favoring the passing of laws regulating the operation of revenue trucks and busses over the highways of this country; be it further

"Resolved, That a copy of this resolution be mailed to United States Senator ROYAL S. COPELAND and Congressman HAMILTON FISH, State Senator Thomas Desmond, and Assemblymen Rainey S. Taylor and William Lamont."

Yours most respectfully,

WARWICK BOARD OF TRADE,
FRED S. WORK, Secretary.

Mr. COPELAND also presented a letter from the city clerk of Niagara Falls, N. Y., which, with the accompanying paper, was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

NIAGARA FALLS, December 16, 1930.

HON. ROYAL S. COPELAND,
United States Senator from the State of New York,
Senate Chamber, Washington, D. C.

DEAR SIR: At a meeting of the city council held December 15, 1930, the council adopted a resolution in favor of the construction of remedial works in the Niagara River for the purpose of improving the scenic grandeur of Niagara by insuring at all seasons unbroken crest lines on both the American and Canadian Falls, and, pursuant to said resolution, I am inclosing herewith a certified copy of the same.

The mayor stated, on the adoption of this resolution, that if the work was approved by the Federal Government it would furnish work to relieve the unemployment situation in this city.

Yours respectfully,

GEO. J. RICKERT, City Clerk.

I hereby certify that the following resolution was adopted at a meeting of the council held December 15, 1930:

"Resolution

"Whereas the convention or treaty between the United States and Great Britain for the preservation and improvement of Niagara Falls and rapids, signed at Ottawa on January 2, 1929, and a protocol on the same day, which convention and protocol have been approved on the part of the Dominion of Canada, was transmitted to the Senate of the United States on or about January 21, 1929, for its action; and

"Whereas such treaty provides for the construction of remedial works in the Niagara River, for the purpose of improving the scenic grandeur of Niagara by insuring at all seasons unbroken crest lines on both the American and Canadian falls; and

"Whereas the Hydroelectric Power Commission of Ontario and the Niagara Falls Power Co. have offered to construct such remedial works under a plan permitting a temporary diversion during the winter season of additional water for power development to be used in power plants of said commission and company, respectively, which are not now in operation; and

"Whereas said convention and protocol are still pending before the Senate of the United States and are in the hands of the Foreign Relations Committee of said Senate:

"Resolved, That the City Council of the City of Niagara Falls respectfully requests said Foreign Relations Committee of the United States Senate to act favorably upon said convention and protocol at the earliest possible date, to the end that said work of improving the scenic grandeur of Niagara may be undertaken at an early date, not only because of the aesthetic benefits to be derived from such improvement, but also because the undertaking of such work would furnish useful employment for a large number of unemployed people at and near Niagara Falls, N. Y., and Niagara Falls, Ontario, and its consummation will afford an additional supply of electric energy at low rates for use during a portion of the year upon the business revival which this council expects will come in the near future.

"Resolved, That the City Council of the City of Niagara Falls, all of whose members are familiar with conditions at Niagara Falls, approves of said convention and protocol and adopts this resolution upon its own initiative, because of the great and many benefits which will be derived from the approval thereof and action in pursuance thereto.

"Resolved, That a certified copy of this resolution be transmitted to the Committee on Foreign Relations of the United States Senate, to the Hon. ROYAL S. COPELAND and the Hon. ROBERT F. WAGNER, Senators from the State of New York, and to the Hon. S. WALLACE DEMPSEY, Representative in Congress from this congressional district, with the request that such Senators and Representatives use all proper means to progress the approval of said convention and protocol."

Witness my hand and seal this 16th day of December, 1930.

[SEAL.]

GEO. J. RICKERT, *City Clerk.*

Mr. COPELAND also presented a communication from the president of the United Brotherhood of Carpenters and Joiners of America, Niagara Falls, N. Y., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

UNITED BROTHERHOOD OF
CARPENTERS AND JOINERS OF AMERICA,
Niagara Falls, N. Y., December 17, 1930.

Hon. ROYAL S. COPELAND,
United States Senator.

HONORABLE SIR: At a meeting of the above local (500 members) I was instructed to forward the following resolutions:

"Resolved, That the Carpenters' Local Union, No. 322, of Niagara Falls, N. Y., strenuously protests against the importation of any goods that may be manufactured wholly or in part by convict labor; and be it further

"Resolved, That the officers of Carpenters' Local Union, No. 322, of Niagara Falls, N. Y., are hereby instructed to mail a copy of this protest to the United States Senators and Congressmen of New York, urging them to prevail upon the Department of the Treasury to enforce section 307 of the tariff act of 1930. A copy of this resolution also shall be forwarded to the Treasurer of the United States at Washington, D. C.

N. DECKAR, *President.*
WM. H. WOODALL,
Recording Secretary.

Mr. COPELAND also presented a communication from the secretary of the Maritime Association of the Port of New York, N. Y., which was referred to the Committee on Inter-oceanic Canals and ordered to be printed in the RECORD, as follows:

THE MARITIME ASSOCIATION OF THE PORT OF NEW YORK,
New York, December 13, 1930.

Hon. ROYAL S. COPELAND,
United States Senate, Washington, D. C.

DEAR SIR: I have the honor to transmit herewith resolutions unanimously adopted by the board of directors of the Maritime Association of the Port of New York at a regular monthly meeting held December 10, 1930, upon recommendation of the committee on steamship affairs:

"Whereas the annual report of Col. Harry Burgess, Governor of the Canal Zone, recently submitted to the Secretary of War, covers the operations of the Panama Canal for the fiscal year ending June 30, 1930; and

"Whereas the revenue from the canal for the past year, as shown in the report above referred to, is, with the exception of the year 1928, the largest in its history; and

"Whereas for several years past the canal has been operated on a 12-hour basis only; and

"Whereas as a result of this 12-hour suspension of traffic each day vessels arriving at the canal are frequently compelled to wait for the same to open, thereby greatly delaying their transit through the canal, with consequent monetary loss to shipowners and operators: Therefore be it

"Resolved, That the board of directors of the Maritime Association of the Port of New York respectfully petitions the Secretary of War to give due consideration to the requirements of our shipping using the canal, and urges that early action be taken to increase the hours of operation; that if it is not found to be practicable to return to the 24-hour basis formerly in effect, such extension of the hours of operation be granted as may be consistent with the engineering and maintenance problems of the canal, and as will serve to reduce to a minimum the delays and losses suffered

by shipping as a result of curtailed operation of the waterway; and be it further

"Resolved, That copies of these resolutions be transmitted to the President of the United States, to the Secretary of War, and to the Members of Congress from the State of New York."

Very respectfully yours,

F. D. DENTON, *Secretary.*

RELIEF SITUATION IN INDIANA

Mr. WATSON. I present three telegrams for printing in the RECORD and reference to the Appropriations Committee.

There being no objection, the telegrams were referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

INDIANAPOLIS, IND., December 16, 1930.

Senator JAMES E. WATSON,

Senate Office Building, Washington, D. C.:

The unemployment situation in Indianapolis is well in hand through the cooperation of the community fund and other local agencies. We believe the President's recommendation for relief to be adequate.

W. H. INSLEY,
President Indianapolis Community Fund.

INDIANAPOLIS, IND., December 16, 1930.

Hon. JAMES E. WATSON,

Senate Office Building, Washington, D. C.:

Our best judgment is situation here now not as bad as in some previous periods of business reaction. Our plans to meet the situation this winter well in hand. Our employment stabilization commission, after functioning one year, has collaborated with employers in obtaining their best efforts to provide maximum employment and has urged permanent methods of relieving unemployment. The commission has also set in operation a program of emergency work, using regular charity funds in payment for work in public departments and on public projects that otherwise would not be carried out for lack of funds. Approximately 500 given three days' work this week in that manner and plans being expanded as rapidly as details can be arranged. City also cooperating with new projects requiring workmen, 100 having been employed this week. Our whole program of employment stabilization is of a constructive nature and, as a matter of fact, Indianapolis is one of a few cities handling the problem in this manner that have received favorable national comment and investigation. Community recently raised \$890,000 for charity organizations. Charity work coordinated and we feel Indianapolis will fully meet needs of the situation this winter.

PAUL Q. RICHEY,
President Indianapolis Chamber of Commerce.

INDIANAPOLIS, IND., December 17, 1930.

Senator JAMES E. WATSON,

United States Senate:

The American Red Cross is well prepared for any duty that may arise in providing relief for sufferers from the drought in Indiana. A survey has been made; local committees have been appointed in each of the drought-stricken counties; and representatives of national headquarters are in readiness to direct relief work. There has not yet developed any need that they are not prepared to care for. The unemployment in cities and towns is rather serious, but not as bad as it has been at times in the past. There is more organized preparation than I have ever known before, and there has been more generosity than ever before. Plans for relief employment provide for increasing expenditure through winter months, and those in charge believe that they are better prepared to cope with situation than in distress periods of previous years.

WILLIAM FORTUNE.

RELIEF SITUATION IN NEW JERSEY

Mr. KEAN. I ask unanimous consent to have printed in the RECORD a telegram from John J. Roegner, mayor of the city of Passaic, N. J., showing that they have the unemployment situation well in hand, and also a telegram from Mr. John F. Murray, jr., of Newark, N. J., showing the same condition.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

PASSAIC, N. J., December 19, 1930.

Hon. HAMILTON F. KEAN,

United States Senate:

Telegram received concerning unemployment. Estimated number out of employment in city of Passaic 2,500. Mayor's community relief committee, Red Cross, poor department, schools, and other agencies have situation well in hand. Employment on the upgrade; distress and suffering at a minimum. City of Passaic maintains a municipal employment bureau, doing commendable work. I personally feel Passaic is in the front lines, doing more than its share to relieve unemployment, distress, and suffering caused by industrial and commercial depression. Senator, for your information, Passaic gets a black eye from the fact that the Passaic industrial center, as designated by the American Federation of Labor, includes in Bergen County, Garfield, Wallington, and Lodi, and Clifton in Passaic County. We are proud to know

that Passaic is in an excellent position. For its population of 63,108, the percentage of unemployment is negligible. A mayor's community relief committee is at present taking up a school census on unemployment and will later have this turned over to the police to verify accuracy of same.

Thanking you for calling this to our attention and wishing you the compliments of the season.

JOHN J. ROEGNER, Mayor.

NEWARK, N. J., December 19, 1930.

Hon. HAMILTON F. KEAN:

Your wire 18th. Newark handling unemployment relief capably. We find by house-to-house canvass about 9,000 out of work. Families being aided through poor and aims number some 4,700. They are getting ample aid and not suffering. City employing 8,000 on public work who went to work only last week. Unemployment due substantially to reduced production in industry and lessening of business in many lines of merchandising.

JOHN F. MURRAY, JR.

REPORTS OF COMMITTEES

Mr. DALE, from the Committee on Commerce, to which was referred the bill (H. R. 13130) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La., reported it without amendment and submitted a report (No. 1207) thereon.

He also, from the same committee, to which was referred the bill (S. 4803) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Morgan City, La., reported it with amendments and submitted a report (No. 1208) thereon.

Mr. HAYDEN, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 5314) to amend the Federal highway act, reported it without amendment and submitted a report (No. 1209) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 12571) to provide for the transportation of school children in the District of Columbia at a reduced fare, reported it with an amendment and submitted a report (No. 1210) thereon.

EXECUTIVE REPORTS

As in executive session,

Mr. BORAH, from the Committee on Foreign Relations, reported favorable Executive C, being a treaty with Norway exempting from military service or other act of allegiance certain nationals.

He also, from the same committee, reported favorably the following nominations:

George D. Andrews, Jr., of Tennessee, now a Foreign Service officer, unclassified, and vice consul of career, to be also a secretary in the Diplomatic Service; and

Henry H. Balch, of Alabama, now a Foreign Service officer of class 4 and a consul, to be a counsel general.

The VICE PRESIDENT. The reports will be placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations.

The VICE PRESIDENT. The reports will be placed on the Executive Calendar.

ENROLLED BILL PRESENTED

Mr. GILLET, from the Committee on Enrolled Bills, reported that on December 18, 1930, that committee presented to the President of the United States the enrolled bill (S. 2895) authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims.

DEFICIENCY APPROPRIATION

Mr. JONES, from the Committee on Appropriations, I report back favorably without amendment the joint resolution (H. J. Res. 444) making an appropriation to supply a deficiency in the appropriations for the fiscal year 1931 for expenses of special and select committees of the House of Representatives. It deals with the expenses of the House, as its title indicates. I ask unanimous consent for its immediate consideration.

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the sum of \$45,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year 1931 for expenses of special and select committees authorized by the House of Representatives.

AGRICULTURAL MARKETING ACT

Mr. JONES, from the Committee on Appropriations, I report back favorably without amendment the bill (H. R. 15359) making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929.

This is a bill, as the title indicates, making an additional appropriation to carry out the provisions of the national marketing act of June 15, 1929. It provides for an additional \$150,000,000 for the Federal Farm Board. I would like to ask unanimous consent for the immediate consideration.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. I object to the unanimous-consent request.

The VICE PRESIDENT. Objection is made, and the bill will go to the calendar.

RELIEF OF FARMERS IN DROUGHT AND STORM AREAS—CONFERENCE REPORT (S. DOC. NO. 232)

Mr. McNARY submitted the following report, which was ordered to lie on the table and to be printed:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with the following amendments:

On page 1, line 9, of said amendment strike out the word "of" and insert the words "incident to;"

On page 2, line 11, of said amendment strike out the numerals "\$30,000,000" and insert in lieu thereof "\$45,000,000."

And the House agree to the same.

CHAS. L. McNARY,
GEO. W. NORRIS,
E. D. SMITH,

Managers on the part of the Senate.

G. N. HAUGEN,
FRED S. PURNELL,
J. B. ASWELL,

Managers on the part of the House.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON of Arkansas:

A bill (S. 5441) to assist in the organization of agricultural-credit corporations; to the Committee on Agriculture and Forestry.

A bill (S. 5442) for the relief of Isaac Pierce (with an accompanying paper); and

A bill (S. 5443) to authorize the Secretary of War to lease to the city of Little Rock portions of the Little Rock Air Depot, Ark.; to the Committee on Military Affairs.

A bill (S. 5444) granting a pension to Sarah Catherine Campbell (with accompanying papers); and

A bill (S. 5445) granting an increase of pension to Margaret A. Looney (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5446) for the relief of Marinius M. Londahl; to the Committee on Military Affairs.

By Mr. BROOKHART:

(By request.) A bill (S. 5447) to amend the national defense act, approved June 3, 1916, as amended, in respect to

compulsory military training; to the Committee on Military Affairs.

A bill (S. 5448) granting an increase of pension to Anna Kath (with accompanying papers); to the Committee on Pensions.

By Mr. GILLETT:

A bill (S. 5449) placing Cadet Adrian Van Leeuwen on the retired list of the Army; to the Committee on Military Affairs.

By Mr. WALSH of Montana:

A bill (S. 5450) granting an increase of pension to Isabelle Culbertson (with an accompanying paper); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 5451) granting an increase of pension to Ann Lee (with accompanying papers); to the Committee on Pensions.

By Mr. BULKLEY:

A bill (S. 5452) granting an increase of pension to Lester L. Karns (with accompanying papers); and

A bill (S. 5453) granting a pension to Lucy C. West (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 5454) granting a pension to Susan T. Clark (with accompanying papers); to the Committee on Pensions.

By Mr. DALE:

A bill (S. 5455) to authorize an additional appropriation of \$7,500 for the completion of the acquisition of land in the vicinity of and for use as a target range in connection with Fort Ethan Allen, Vt.; to the Committee on Military Affairs.

By Mr. BROUSSARD:

A bill (S. 5456) to extend the time for construction of a free highway bridge across the Sabine River where Louisiana Highway No. 21 meets Texas Highway No. 45;

A bill (S. 5457) authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 6 meets Texas Highway No. 21; and

A bill (S. 5458) authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 7 meets Texas Highway No. 7; to the Committee on Commerce.

By Mr. COPELAND:

A bill (S. 5459) to amend section 177 of the Judicial Code; to the Committee on the Judiciary.

A bill (S. 5460) for the relief of Lieut. Philip Egner;

A bill (S. 5461) to authorize appropriations for construction at Madison Barracks, N. Y.;

A bill (S. 5462) for the purchase of land as an artillery range at Fort Ontario, N. Y.;

A bill (S. 5463) to authorize appropriations for construction at Fort Ontario, N. Y.; and

A bill (S. 5464) authorizing the Secretary of War to reconvey to the State of New York a portion of the land comprising the Fort Ontario Military Reservation, N. Y.; to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 5465) to amend section 586c of the act entitled "An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions, approved March 2, 1929; to the Committee on the District of Columbia.

By Mr. KING:

A bill (S. 5466) making an appropriation for fuel-research work by the Bureau of Mines at Salt Lake City, Utah; to the Committee on Appropriations.

By Mr. GEORGE:

A bill (S. 5467) to amend an act for the relief of Augusta Cornog, approved May 29, 1928; to the Committee on Claims.

By Mr. BRATTON:

A bill (S. 5468) granting an increase of pension to Candalaria S. de Chavez; to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 5469) for the relief of R. Y. S. Hunnicutt; and
A bill (S. 5470) for the relief of the widow of John Curtis Staton; to the Committee on Claims.

By Mr. SHORTRIDGE:

A bill (S. 5471) for the relief of Clifton H. Cantelou; to the Committee on Naval Affairs.

A bill (S. 5472) granting a pension to John Parent; to the Committee on Pensions.

By Mr. HOWELL:

A bill (S. 5473) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownsville, Nebr.; to the Committee on Commerce.

By Mr. WAGNER:

A bill (S. 5474) for the relief of Thomas G. Carlin; to the Committee on Military Affairs.

By Mr. TRAMMELL:

A joint resolution (S. J. Res. 224) authorizing the Postmaster General to make a just and equitable compensation for the past use in the Postal Service of a certain invention and device for the postmarking of mail packages and for the more permanent cancellation of postage stamps during the time the said device was in use by the Post Office Department, not exceeding or going beyond the life of the letters patent thereon; to the Committee on Post Offices and Post Roads.

CHANGE OF REFERENCE

On motion of Mr. ROBINSON of Indiana, the Committee on Finance was discharged from the further consideration of the bill (S. 5230) for the relief of Myron M. Andrews, and it was referred to the Committee on Military Affairs.

TRANSFER OF OIL LANDS

Mr. WALSH of Montana. Mr. President, I send to the desk a resolution and ask that it be read.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 379), as follows:

Whereas it has been recently charged in the public press upon the authority of a former employee of the Government of reputed good character, long in the service of and charged with the duty of inquiring into the circumstances attending the disposition of the public lands, that considerable areas of such, valuable potentially and otherwise because of the oil shales in which they abound, have been improvidently, erroneously, and unlawfully, if not corruptly, transferred to individuals and private corporations, to the great loss of the public:

Resolved, That the Committee on Public Lands and Surveys or any subcommittee thereof, be, and hereby is, authorized and directed to inquire into the charges so made and into the alienation of oil shale lands of the United States, so far as they have been alienated and to the practices, rulings, and action of the Department of the Interior in relation to the preservation or disposition of such lands, or of applications for patent to the same, and to make such recommendations as to it may seem appropriate touching needed legislation or other governmental action for the recovery of any such lands as may have been wrongfully alienated or for a review of any final award by the Secretary of the Interior of any such lands.

The said committee or subcommittee is hereby authorized to sit, act, and perform its duties at such times and places as it seems necessary or proper; to require by subpoena or otherwise the attendance of witnesses; to require the production of books, papers, documents, and other evidence; and to employ counsel, experts, and other assistants. The cost of stenographic service to report such hearings shall not exceed 25 cents per 100 words. The chairman of the committee or subcommittee, or any member thereof, may sign subpoenas and administer oaths to witnesses; and every person duly summoned before said committee or subcommittee, who refuses or fails to obey the process of said committee or subcommittee, or appears and refuses to answer questions pertinent to the investigation shall be punished as prescribed by law.

The cost of said investigation shall be paid from the contingent fund of the Senate on vouchers of the committee or subcommittee, signed by the chairman and approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. WALSH of Montana. Mr. President, I venture no opinion whatever concerning the verity of the charges thus made and referred to in the resolution. I have gone into the matter sufficiently to satisfy myself that at least a preliminary inquiry ought to be prosecuted with a view to

determining whether an exhaustive examination of the facts and circumstances should be prosecuted. I shall ask that the resolution be referred to the Committee on Public Lands and Surveys, which can, at little or no expense, prosecute the necessary preliminary inquiry and make recommendations to the Senate as to the course that ought to be pursued with reference to the same.

The VICE PRESIDENT. Without objection, the resolution will be referred to the Committee on Public Lands and Surveys.

INVESTIGATION BY TARIFF COMMISSION—COCO AND CHOCOLATE

Mr. GILLET submitted the following resolution (S. Res. 380), which was considered by unanimous consent and agreed to:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles or products and of any like or similar foreign articles or products: Coco and chocolate, sweetened and unsweetened, in bars or blocks weighing 10 pounds or more each. (Par. 777.)

SENATORIAL EXPENSES IN 1930 CAMPAIGN

Mr. NYE submitted the following resolution (S. Res. 381), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution No. 215, agreed to April 10, 1930, authorizing and directing a special committee of the Senate to investigate the campaign expenditures of and contributions to the various candidates for the United States Senate in the campaign terminating in the general election in November, 1930, hereby is extended in full force and effect until the end of the first session of the Seventy-second Congress; and said committee hereby is authorized to expend out of the contingent fund of the Senate \$50,000 in addition to the amount heretofore authorized for the above-mentioned purposes.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

RESOLUTIONS PASSED OVER

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The CHIEF CLERK. A resolution (S. Res. 363) favoring relief of human suffering prior to consideration of interests of wealthy income-tax payers.

Mr. MOSES. Mr. President, the Senator from Wisconsin [Mr. LA FOLLETTE], who introduced the resolution, is not present. I ask that it may go over.

The VICE PRESIDENT. The resolution will be passed over. The Chair lays before the Senate another resolution coming over from a previous day, which will be stated.

The CHIEF CLERK. A resolution (S. Res. 370) requesting certified copies of minutes of certain meetings of the Tariff Commission, and that they be printed as a Senate document.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The resolution will go over.

INVESTIGATION BY TARIFF COMMISSION

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be stated.

The CHIEF CLERK. The resolution (S. Res. 371) submitted by Mr. COPELAND on the 15th instant, as follows:

Whereas the United States Tariff Commission was directed by Senate Resolution 325, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of cigarette books, cigarette-book covers, and cigarette paper in all forms, and of any like or similar foreign articles: Therefore be it

Resolved, That such direction as to cigarette books, cigarette-book covers, and cigarette paper in all forms be hereby rescinded.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

The VICE PRESIDENT. Morning business is closed.

AMENDMENT TO AGRICULTURAL MARKETING ACT

Mr. BLACK. Mr. President, I attempted to get the floor under the proper order to send to the desk a short amend-

ment to House bill 15359, providing an additional appropriation of \$150,000,000 for the Farm Board. The amendment is very short. I desire to send it to the desk and have it read for the information of the Senate. It is an amendment which I intend to propose when the bill to which it relates comes before the Senate.

The VICE PRESIDENT. The amendment intended to be proposed by the Senator from Alabama will be read.

The Chief Clerk read as follows:

Amendment intended to be proposed by Mr. BLACK to the bill (H. R. 15359) making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929.

Insert at the end of the bill the following:

"No part of the amount hereby appropriated shall be expended and no loan shall be made out of such amount for the purpose of dealing in futures or indulging in marginal transactions or any transaction whereby contracts are made for the purchase of agricultural commodities or food products thereof where no delivery of such commodity or food product is intended; and no cooperative association or stabilization corporation shall make any expenditure for any such purpose from the proceeds of any loan made out of such amount."

The VICE PRESIDENT. Does the Senator from Alabama desire that the amendment be printed and lie on the table?

Mr. BLACK. Yes.

The VICE PRESIDENT. That order will be made.

CONGRESS AND ITS PROBLEMS

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD a radio address of Edward Keating, editor of Labor, over the National Broadcasting System, concerning Congress and the problems which confront it, being an unusually interesting address.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

Good evening, ladies and gentlemen. I am sure you will agree with me that "pinch hitting" for William Hard is a man's job. My situation is rendered all the more difficult by the fact that I have had little or no experience in this broadcasting game. So if I seem a bit unsteady during the next 15 minutes you will understand.

When I asked Mr. Hard for suggestions as to the line I should take this evening, he replied, "Tell the truth as you see it." There may be those among you who think, even if you do not give voice to your thoughts, that telling the truth is not an easy assignment for a newspaper man. I assure you that is a libel on an ancient and honorable calling. Newspaper men prefer to tell the truth, the whole truth, all the time and about everything.

Only a sincere concern for the peace and happiness of their fellow men induces them to temper their utterances. Truth is a high explosive; worse than T. N. T. In unskilled hands it may wreck homes, destroy reputations, and send nations forth to battle. Therefore, it must occasionally be diluted with charity, forbearance, affection, and a lot of other Christian virtues.

With that thought in mind, let's take a look at what's going on in Washington.

Mr. Hoover has Congress "on his hands" once more. To hear some people talk about Congress, you would imagine the legislative branch of Government had some ailment which was highly contagious or infectious, and should therefore be quarantined for long periods at some remote point.

Others represent our lawmakers as a group of halfwits, demagogues, or near-grafters, who are filled with an unholy desire to turn everything upside down, disturbing business and discouraging and disgusting devoted public servants.

As an old newspaper man who has had exceptionally good opportunities to observe the work of Congress and to become acquainted with its Members, may I suggest that these pictures of our national legislators are entirely out of focus?

Do you know of any legitimate business which has been injured by congressional enactment?

Can you name any honest public official who has suffered because of a congressional investigation?

I think you will find it difficult to answer either of these questions in the affirmative. Personally, I have a very high opinion of our lawmakers' integrity, ability, and devotion to the public service.

Well, if there is nothing wrong with Congress, why all this effort to get it out of Washington as soon as possible and keep it out as long as possible?

The answer is—and please remember I am trying to follow Mr. Hard's instructions and tell you the truth as I see it—the answer is: That certain powerful interests find it impossible to control Congress, which is more responsive to the people's will than either the executive or the judiciary.

For the moment most of the propaganda is directed against the Senate. When I first took an interest in Washington affairs the

Senate was called the "Millionaire's Club" or the "American House of Lords," and it was the citadel of conservatism.

Aldrich, of Rhode Island, Frye, of Maine, and Quay, of Pennsylvania, ran the show and the "predatory interests" got just what they wanted, when they wanted it.

Occasionally the House caused trouble, but not often, because "Czar" Joe Cannon bossed things at that end of the Capitol.

We didn't hear anything about Congress "disturbing business" in those days. With Teddy, the Rough Rider, in the White House the executive, not the legislative, branch of government was "viewed with alarm."

Popular election of Senators has worked the change. No one runs the Senate now. From being one of the most reactionary it has become the most independent and progressive legislative body in the world.

The House is still ruled by a few bosses—LONGWORTH, of Ohio; SNELL, of New York; and TILSON, of Connecticut. Those three captains of the "old guard" are in a position to kill or pass almost any bill. They will not be so powerful when the new Congress meets, because the voters deprived them of about 50 of their faithful followers on November 4. So there is just a chance that the House may change its rules so as to give the ordinary Members a voice in legislation and thus cease to be a "rubber stamp" for the three very amiable but extremely reactionary leaders.

Think what would happen if we had a House, as well as Senate, that didn't take orders from anyone! The mere prospect is so disconcerting that an appeal is being made from the White House and through the press to head off at all hazards an extra session of the new Congress.

The men you elected to the House and Senate on November 4 are not to be permitted to do anything except draw their pay until December, 1931—13 months after they were officially designated as the spokesmen of the people. In the meantime about 75 Senators and Representatives who were repudiated by the voters in November will continue to legislate until their terms expire at high noon on March 4 next.

The excuse for this anomalous arrangement is that a new Congress should have time to "cool off"—to forget what the Members promised the voters before election.

No other nation on earth has such a "cooling-off" period. For example, just across an imaginary line, in the Dominion of Canada, they held a general election last summer. The Liberal government was overthrown and within two weeks the Conservatives were in control.

A few weeks later Parliament was convened in extra session to deal with unemployment. An ambitious program, including a revision of the tariff, almost total suspension of immigration, and large appropriations for public works and direct relief for the needy was put through within two months of election day.

Are the Canadians too fast, or are we too slow?

Senator NORRIS, of Nebraska, says we are too slow, and he has proposed the so-called "lame-duck" amendment to the Constitution. The Senate has approved the amendment on three or four occasions but it has always been pigeonholed by the "old guard" in the House.

If NORRIS has his way, Congress will meet about 60 days after election and will remain in session until the public business has been transacted in an orderly fashion. Among other things, this would do away with the filibusters and legislative jams which have so often marked short, or "lame-duck," sessions of Congress.

NORRIS is insisting that the "old guard" permit the House to vote on his amendment. If this is refused, the progressives in the Senate may block a few of the general appropriation bills and thus force an extra session of the new Congress.

NORRIS is also calling for action on his Muscle Shoals bill, Senator WAGNER's unemployment measures, and a bill limiting the use of injunctions in industrial disputes.

The Muscle Shoals bill, which has already passed the Senate, provides for Government operation of the immense power plant which Uncle Sam has constructed in Alabama at a cost of about \$150,000,000.

At present the power generated at the dam is being sold by the Government to the Alabama Power Co. for 0.2 of a cent per kilowatt-hour and it is being retailed to consumers within sight of the plant for 8 cents per kilowatt-hour, or forty times original cost.

NORRIS's bill gives cities and towns and farmers' cooperative organizations a prior right to buy the power. He insists that the result would be lower light and power rates not only in the vicinity of the shoals but throughout the country.

His idea that Uncle Sam should use the shoals plant as a sort of "yardstick" to determine the fairness, or lack of fairness, of rates charged by private enterprise.

He points with approval to what has been accomplished by the Province of Ontario, in Canada. Ontario has invested \$300,000,000 in an immense power system and is selling electricity to domestic consumers for less than 2 cents a kilowatt-hour.

Compare that with what your local light company is charging you and you will see what NORRIS has in mind.

President Hoover is probably more fixed in his opposition to the shoals bill than to any pending legislation which has the slightest chance of passage. Government ownership in any form is anathema to him.

Should the shoals bill reach his desk in its present form he will probably veto it. Any compromise acceptable to Mr. Hoover would not satisfy Senator NORRIS.

So there we have the makings of another fine fight, and it may become so bitter as to precipitate the much-dreaded extra session.

President Hoover's message was read in both Houses on Tuesday.

The Chief Executive was optimistic. He blamed the greater part of our troubles on world conditions, insisted that we were still going at from 80 to 85 per cent capacity, and suggested that the skies would begin to clear in about six months.

He disappointed those who believe that the Federal Government should launch an immense building program, in the hope that the increase in employment would enable industry to get to going again.

The President will ask Congress for a special fund of \$100,000,000 to \$150,000,000 to be used, in his discretion, in almost any form of construction work. He does not promise to spend the money, however.

It is evident that the President feels that the Federal Government is doing its share for the relief of the jobless and should not be urged to go much farther.

So far as the farmers are concerned, the President holds that his Farm Board is functioning satisfactorily. He is willing to loan money to farmers in the drought areas for the purchase of seed and feed for stock, but the beneficiaries must put up satisfactory security—not an easy condition when thousands of agriculturists are trying to make up their minds whether they will stick to the "old home place" or go to the city and add to the difficulties of an already badly congested labor market.

Mr. Hoover flatly refuses to ask Congress to make any contribution for the direct relief of the needy.

The Red Cross, he says, will alleviate suffering in the agricultural areas, and State and municipal authorities and private charities must provide for the "down and outs" in the cities.

May I inject, at this point, that the police of New York have located within the boundaries of that city 42,000 families that need assistance. Probably conditions are just as bad in other cities in proportion to population.

Congressman HUDDLESTON, of Alabama, a veteran of the House, does not agree with the President.

He has presented a resolution asking Congress to appropriate \$50,000,000 for direct relief, under regulations drafted by the President.

Canada is doing just that; and no one in the Dominion seems to be worrying about the possible effect on the moral fiber of the people who are being given food, clothing, and shelter.

On the other side of the international boundary they go on the theory that cold and hunger will do more damage to one's moral fiber than any number of hot meals and warm beds, even if the meals and beds are paid for by a Government agency.

The Treasury is facing a deficit of \$180,000,000, the President says, and the cut in taxes on incomes and corporation profits, which the administration sponsored right after the stock-market crash last year, will not be continued this year.

Those of us who have taxable incomes should not complain. Instead, we should thank God we are not in the condition of thousands of our fellow Americans with wives and children dependent on them, who have no more use for income-tax blanks than Fiji Islanders have for fur overcoats.

As Congress convened, a small group of alleged communists staged a demonstration in front of the Capitol, demanding the wiping out of restrictions on immigration and social equality for negroes.

The police used their clubs rather freely, and a few tear bombs were discharged. It was a fine show for the moving-picture photographers, and the scenes are probably already on exhibition at your favorite theater.

Don't take them too seriously. The "reds" did not number more than 200, and most of them were imported for the occasion. They were unarmed, and a score of efficient policemen could have handled the "mob" with ease.

In the opinion of this humble substitute for one of America's most famous broadcasters, our country is not facing a "red" menace.

Our unemployed are not communists. They are not "demonstrating." They are a bit puzzled to find themselves on the bread line in the midst of plenty. They find it difficult to understand why people should be cold and hungry because they have produced too much of the necessities of life.

But they are not plotting the overthrow of their Government. It would be a mistake, however, to imagine that they will starve meekly.

They hold with Congressman-elect David J. Lewis, of Maryland, that while the world owes no man a living it owes every man a job—a chance to earn a living, for himself and his family.

Those of us who love American institutions and desire to transmit them to posterity unimpaired should bestir ourselves and see that the job is provided. Failing that, every one of the unemployed is entitled to needed food, clothing, and shelter.

Since the foundation of the Government, America has responded generously to appeals for help from foreign lands. We have fed the Germans, the Belgians, the Russians, the Japanese—ignoring the differences in race and creed and color. Shall we do less for our own flesh and blood?

WORLD COURT

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding the attitude of the church people of the United States on the

question of American membership in the permanent court of international justice. The statement was made by the Commission on International Justice and Good Will of the Federal Council of the Churches of Christ in America.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., December 17, 1930.

HON. ROBERT F. WAGNER,

Washington, D. C.

DEAR SIR: The inclosed document is being presented to-day to President Hoover by Bishop William F. McDowell, chairman of the Washington committee of the Federal Council of the Churches of Christ in America.

It presents with some fullness recently gathered information regarding the attitude of the church people of the United States on the question of American membership in the Permanent Court of International Justice. The information that comes to us from all sources corroborates and strengthens the judgment that the vast majority of the church people of the United States earnestly desire that the United States shall promptly become a member of the World Court.

Respectfully yours,

CHARLES S. MACFARLAND,
General Secretary Federal Council of the
Churches of Christ in America.
SIDNEY L. GULICK,
Secretary Commission on International
Justice and Goodwill.

A STATEMENT OF THE ATTITUDE OF THE CHURCH PEOPLE OF THE UNITED STATES OF AMERICA ON THE QUESTION OF AMERICAN MEMBERSHIP IN THE PERMANENT COURT OF INTERNATIONAL JUSTICE

The information given below comes from—

I. Moderators and presidents of communions and from chairmen of denominational peace committees of the following communions (arranged in order of size):

Methodist Episcopal Church; Methodist Episcopal Church South; Presbyterian Church in the United States of America, General Assembly; Church of Christ, Disciples; Northern Baptist Convention; Protestant Episcopal Church, National Council; Congregational Churches, National Council; the United Lutheran Church in America; Presbyterian Church in the United States; the Church of the United Brethren in Christ; the Reformed Church in the United States; Evangelical Synod of North America; Methodist Protestant Church; Reformed Church in America, General Synod; Societies of Friends; the Salvation Army; the American Unitarian Association; the Universalist Church, General Convention; the Christian Church; Seventh Day Baptist General Conference; and Reformed Presbyterian Church.

II. The Federal Council of the Churches of Christ in America.

III. Secretaries of State Federations and Councils of Churches (arranged in alphabetical order):

California State Church Federation; Connecticut State Federation; Illinois Council of Churches; Massachusetts Federation of Churches; Michigan Council of Churches; New Hampshire State Council of Churches; New York State Council of Churches; Ohio Council of Churches; Oklahoma State Council of Churches; Pennsylvania Council of Churches; Rhode Island Federation of Women's Church Societies; the Federation Council of the Churches of Christ in South Dakota; and Mid West office of the Federal Council of the Churches of Christ in America.

IV. Secretaries of city federations and councils of churches and of interdenominational associations of ministers (arranged in alphabetical order):

Atchison (Kans.) Ministerial Association; Atlanta (Ga.) Christian Council; Boston (Mass.) Federation of Churches; Brooklyn (N. Y.) Federation of Churches; Cambridge (Mass.) Council of Churches; Chicago (Ill.) Church Federation; Detroit (Mich.) Council of Churches; Hartford (Conn.) Council of Churches; Indianapolis (Ind.) Church Federation; Kansas City (Mo.) Council of Churches; Los Angeles (Calif.) Church Federation; Medford (Mass.) Federation of Women's Church Societies; New York (N. Y.) Federation of Churches; Philadelphia (Pa.) Federation of Churches; Portland (Me.) Church Federation; Portland (Oreg.) Council of Churches; Shenandoah (Iowa) Ministerial Association and Council of Churches; Toledo (Ohio) Council of Churches; Trenton (N. J.) Council of Churches; Washington (D. C.) Federation of Churches; West Roxbury (Mass.) Federated Church Societies; Wilmington (Del.) Council of Churches; Youngstown (Ohio) Federated Churches.

V. The National Committee on the Churches and World Peace.

QUOTATIONS FROM LETTERS AND RESOLUTIONS

I. Communions

The Methodist Episcopal Church:

"In my judgment, the members of the Methodist Episcopal Church are as sincerely interested as ever in the matter of United States membership in the World Court. In a body so large and varied as ours it would be impossible to secure either a full expression or to expect unanimity on an important matter like this. But I am sure that the church as a whole in its devotion to world peace and international good will sincerely favors membership in the World Court at the earliest possible date." (Bishop William F. McDowell.)

The Methodist Episcopal Church South:

"I am quite sure the (Methodist) church in the South is strongly in favor of immediate entrance into the World Court." (Hon. Josephus Daniels.)

The Presbyterian Church in the United States of America, general assembly:

"The official action of the general assembly in the matter of world peace at its recent annual meeting includes the following:

"That the general assembly especially commends and supports President Hoover in his efforts to bring about reduction of armaments, to establish closer relations and understanding between nations, to remove the causes of war, and in his clear and persistent presentation of those principles which make peace possible and practical.

"That it pledges its undivided support to the President of the United States in his determined efforts to secure the ratification of the London naval pact."

"The board of Christian education, as representing the Presbyterian Church, is seeking to carry out the intention of the above resolution by every possible means its national organization affords. It looks forward to the early presentation of the protocol of the World Court to the United States Senate with the assurance that the members of the Presbyterian Church throughout the United States will place behind its ratification their active moral support in every practical way possible." (Rev. William Chalmers Covert.)

The Church of Christ, Disciples:

"As an official charged with matters pertaining to peace for the Disciples of Christ, a people numbering a million and a half, I urge that the World Court protocol be presented to Congress in December. This religious body has gone on record year after year since the proposal first was up in favor of our country joining the World Court, and those of us who are charged with responsibility for representing them feel that we will lose a great opportunity if we do not put the matter before the Senate at this winter's session." (Rev. Alva W. Taylor.)

Northern Baptist convention:

"I write * * * on behalf of the Baptists of the northern Baptist convention, of which I have the honor to be president, our assurance of the eagerness with which we look forward to the time when the World Court protocols shall be submitted again to the Senate, and our further assurance that he can count upon the eager support of the constituency of the northern Baptist convention in pressing for the membership of the United States in the Permanent Court of International Justice.

"A step which is so eminently justified, which has been so long urged by presidents of the United States, which is so valuable for the peace of the world, so heartily in accord with the Christian ideals for which we stand, could not have other than the strongest support that we can give it." (President Albert W. Beaven.)

Protestant Episcopal Church, National Council:

"The Episcopal Church, through all its authoritative bodies, has expressed in no uncertain terms the desire of those who represent it that the United States should be a member of the Permanent Court of International Justice. May I beg you, as the opportunity may come, to convey to President Hoover the assurance that the members of my communion are keenly interested in the submission of the protocols to the Senate, and I assure you that those who represent this body will be behind the President in pressing for our membership in this Permanent Court of International Justice.

"I make this statement not at all in my personal capacity or trusting in my personal judgment. Public statements of the Episcopal Church have been frequently made on this subject, and the church is committed to this action." (Rev. Charles N. Lathrop.)

On November 13, 1930, at the suggestion of the Right Rev. James De Wolf Perry, president of the House of Bishops, the New York and New Jersey province of the Protestant Episcopal Church unanimously adopted a resolution urging the President and Senate of the United States to bring about early entrance of the United States as a member of the World Court, and added that the United States "can not consistently contend it is comprised of peace-loving people, desiring world peace, if it remains outside the fold of the World Court."

Congregational Churches, National Council:

"So far as I am informed every Congregational minister is in hearty accord with the proposal now being made by the President for the ratification by the Senate of the Treaty of Adherence to the Permanent International Court of Justice, and I am quite sure that I am voicing the sentiments of the entire denomination when I express the hope that the United States will become a member of this court without further delay." (Moderator Fred B. Smith.)

"The National Council of Congregational Churches on Monday, June 3, 1929, adopted without a dissenting voice the following resolution:

"Whereas, the National Council of Congregational Churches has more than once expressed its deep conviction that the United States, under proper safeguards, should enter the World Court, therefore be it

"Resolved, That this council respectfully petitions the Senate of the United States to adopt a plan, such as has been negotiated at Geneva under the guidance of the Hon. Elihu Root, so that the United States may become a member of the Permanent Court of International Justice, and be it further

"Resolved, That the general secretary of this council respectfully transmit this resolution to the chairman of the Foreign

Affairs Committee of the Senate, to the President of the United States, and to the Department of State in Washington."

"As chairman of the council's commission on international relations, I give it as my opinion that our congregational ministers and laity are overwhelmingly in favor of the entrance of the United States into the World Court, as stated above in the resolution." (Prof. William Walker Rockwell.)

The United Lutheran Church in America:

"I am persuaded that the conviction of our entire church is that the United States of America should establish membership in the World Court." (President F. H. Knubel.)

Presbyterian Church in the United States:

"The church members of my communion are as keenly interested as ever in the matter of the World Court. You can count on our hearty support in pressing for the membership of the United States in this permanent court of international justice.

"The Presbyterian Church in the United States has, with increasing clearness for the past several years, expressed itself as concerned in the abolition of war and in the settlement of international disputes by peaceful methods." (Rev. D. P. McGeachy.)

The Church of the United Brethren in Christ:

"An amicable adjustment of all international differences through a world court will go a long way toward the reign of peace on earth. The United States of America has always been in the foreground in all matters that make for peace and good will. May she not lag behind other nations of the world at this strategic time." (Bishop A. R. Clippinger.)

The Reformed Church in the United States:

"The General Synod of the Reformed Church in the United States, at its last triennial meeting in Indianapolis, passed the following action:

"That we favor membership of the United States in the Permanent Court of International Justice and in the League of Nations, with such reservations, if deemed necessary, as may be mutually acceptable to the United States and the members of the league."

"Therefore, as president of the general synod, I wish to give you the assurance that the Reformed Church in the United States is as keenly interested in this matter as ever, and you can count on its hearty support in having the United States become a member in the Permanent Court of International Justice." (Rev. Charles E. Schaeffer.)

Evangelical Synod of North America:

"On behalf of the members of our communion, I want to express * * * our unalterable conviction that the welfare of the nations and the peace of the world require the adherence of the United States of America to this court. * * * Let me assure you that we, together with the millions of earnest and sincere Christians, are eagerly awaiting such action and anxious to give our hearty support in pressing the membership of our Government in the Permanent Court of International Justice." (Rev. H. P. Vieth.)

Methodist Protestant Church:

"I desire to assure you of the deep interest of the Methodist Protestant Church in the United States accepting membership in the World Court. Our undisputed leadership in many world activities places upon us as a nation the responsibility of cooperation in this court that provides the means whereby international problems can be solved peacefully." (President J. C. Broomfield.)

Reformed Church in America, General Synod:

"Speaking for the Reformed Church in America, I feel that this matter is of very great concern, and that the entire church would deplore the fact if this country did not heartily enter into full membership in this body and, what is just as important, assume its full privileges and responsibilities as a member of that body. It would be a great calamity if any small technical matters or questions of political expediency should defeat this great objective." (President Milton J. Hoffman.)

Friends (Five Years' Meeting):

"It is therefore natural for Friends to welcome the inauguration and successful operation for the past 10 years of the World Court, and to look forward with eager hope to the participation of our country in that great work. We believe that the protocols recently negotiated and signed by authority of the President, formulated (as respects certain important points) in accordance with the suggestions of Elihu Root, safeguard in every respect the rights and interests of the United States and obviate every substantial objection to the entrance of the United States into the court. We believe, therefore, that whenever the way opens for the submission of these protocols to the Senate for its advice and consent, and they are so submitted by the President, they deserve the prompt and favorable consideration of that great deliberative body. We believe that the question of the entrance of the United States into the World Court is second in importance to no other question now before the American people." (Walter C. Woodward.)

Peace section, American Friends service committee:

"In so far as we represent the Society of Friends in America we can say that we and Friends generally approve American membership in the World Court and will welcome vigorous prosecution of this matter by the administration. You can depend upon us for cooperation." (Clarence E. Pickett.)

The Religious Society of Friends of Philadelphia and vicinity:

"The Society of Friends is keenly interested in the World Court and desires the United States to take its place as a full member. We believe, therefore, that there would be hearty support for an effort to complete the membership of the United States in the court on the part of our members, and we would expect to do everything in our power both within and without the Society

of Friends to encourage such support. We feel that it is highly desirable that the ratification be completed as soon as possible." (Wm. B. Harvey.)

The Religious Society of Friends (Hicksite):

"The Religious Society of Friends has always advocated peaceful methods of settling international disputes. Believing that the World Court is one very necessary institution in the settlement of such disputes, the members of the Religious Society of Friends are anxiously awaiting the submission of the protocols to the Senate, and will most certainly support the efforts made to have the United States become a member of the Permanent Court of International Justice." (Anna B. Griscom.)

Western Yearly Meeting of Friends Church:

"Without question the members of Western Yearly Meeting of the Friends Church are earnestly awaiting the submission of the World Court protocols to the Senate, and can be counted on for support in pressing for the membership of the United States in the Permanent Court of International Justice." (Richard B. Newby.)

The Salvation Army:

"Will you please convey to President Hoover, on behalf of Commander Evangeline Booth and the Salvation Army in the United States, our most hearty assurance of support in the matter of full membership of the United States in the Permanent Court of International Justice.

"We are awaiting with keen interest the submission of the protocols to the Senate, and we are earnestly hoping that that august body will ratify those protocols and thus remove the last barrier to the active participation of our Nation in the World Court. Essentially American in its inception, we consider it our national duty to support such a splendid institution for the preservation of the world's peace, and to invest the eminent American who represents us at the court with the fullest possible authority." (Commissioner William Peart.)

The American Unitarian Association:

"Whereas the protocol for the adherence of the United States to the Permanent Court of International Justice protects in all respects the interest of the United States; and

"Whereas the signing of the Kellogg Peace Pact for the Renunciation of War makes it vitally important that the United States be officially connected with the Permanent Court of International Justice.

"Resolved, That the Third Biennial Conference of the American Unitarian Association, assembled at Chicago, October 17, 1929, urgently requests the Senate of the United States to take such steps as may be necessary to bring about the adhesion of the United States to this international tribunal."

"I am personally convinced that there is a stronger feeling than ever we ought to enter the World Court and that at the earliest possible moment. * * * You may assure the President that we are earnestly awaiting the submission of the protocols to the Senate and that he may count on the hearty support of a great body of Unitarians in such action and throughout whatever campaign is necessary for their ratification in the Senate." (Dr. Robert C. Dexter.)

The Universalist Church, general convention:

"I am glad to say on behalf of the Universalist Church that I believe we are almost a unit in desiring the culmination of this project—American membership in the World Court." (Rev. H. E. Benton.)

The Christian Church:

"The Christian Church is very much interested in the matter of peace and our membership in the Permanent Court of International Justice.

"* * * The sentiment is growing steadily among our whole membership * * *. Our President may count upon our hearty support in seeking membership therein." (Rev. Warren H. Denison.)

The Seventh Day Baptist General Conference:

"We believe that the World Court is a prime factor in the realization of a warless world, and that the entrance of the United States into the court is essential to its greatest efficiency.

"As president of the Seventh Day Baptist General Conference, I am asking you to assure President Hoover that our people will give sympathetic support to his effort for the United States to accept membership in the Permanent Court of International Justice." (President Willard D. Burdick.)

Reformed Presbyterian Church:

"The Reformed Presbyterian Church is still deeply interested in the World Court and will give hearty and practically unanimous support to any effort to make the United States a constituent member of the World Court. I wish to assure you that the members of our churches will give the President every support in seeking to secure the ratification by the Senate of the World Court protocols." (Rev. Walter McCarroll.)

II. The Federal Council of the Churches of Christ in America

Resolution adopted by the executive committee December 2, 1930:

"The executive committee of the Federal Council of the Churches of Christ in America welcomes the statement of President Hoover that he plans to submit to the Senate in a special message the protocols of the Permanent Court of International Justice.

"This World Court was established as a result of American suggestions and embodies in the main American ideas and practices. The Hon. Frank B. Kellogg, former Secretary of State, has recently been elected one of the judges of the court. Membership of the

United States in the court was voted by the Senate in 1926, with five reservations. The protocol dealing with American membership, according to the statements of President Hoover, Secretary of State Stimson, and many other competent legal authorities, conforms to those reservations and provides a method by which to carry them out. Ratification of these protocols now seems to us a moral obligation.

"The peaceful settlement of all international disputes is a fundamental policy of the United States, the latest expression of which policy is the Kellogg-Briand peace pact. To make this policy thoroughly effective, a world court for the settlement of all legal controversies is essential. The World Court at The Hague is such a court. It needs the moral and practical support of every peace-loving nation. For the United States to proclaim the settlement of all disputes on a basis of law and reason, equity and good will, and never on the basis of military might and violence, and yet for it to refuse to adhere to the World Court can not fail to be universally regarded as illogical and self-contradictory.

"The Federal Council of Churches of Christ in America and practically all the major church bodies of the United States have repeatedly during the past seven years recorded their judgment and desire that the United States should join the World Court. We believe that the vast majority of the membership of the churches is now more firmly convinced than ever that such membership is an essential step in the program for world justice, mutual confidence, disarmament, and assured peace, which are vital for the general welfare of mankind: Therefore be it

"Resolved—

"1. That the executive committee of the federal council, reaffirming its many previous actions, again expresses its conviction that the United States should now join the World Court, and respectfully, yet earnestly, urges the Senate to give its early 'advice and consent' for ratification of the protocols.

"2. That the executive committee calls the attention of church members generally to the need for fresh study of the facts in regard to the problem of membership of the United States in the Permanent Court of International Justice, and suggests to them as citizens the importance of giving to their representatives in the Senate fresh expression of their individual judgments and desires."

III. Secretaries of State Federations and Councils of Churches

The California State Church Federation: "At the executive committee meeting (November 6, 1930) of the California State Church Federation, which represents about 80 per cent of all the Protestants in the State, a strong resolution was passed reaffirming the previous attitude of this organization toward the interest of American membership in the World Court." (Rev. F. M. Larkin.)

The Connecticut State Federation: "I feel warranted in saying that the Connecticut churches, by a majority amounting almost to unanimity, favor American membership in the Permanent Court of International Justice." (Rev. Roscoe Nelson.)

The Illinois Council of Churches: "Though the public discussion of the World Court has decreased during the past months, we want you to know that the Christian people of Illinois are still deeply interested in the matter.

"May we ask you to convey to President Hoover assurance that when the protocols are submitted to the Senate the coming winter, we will be glad to do every legitimate thing in our power to bespeak the support of our Senators for their ratification. You have only to command us to secure our interest and hearty cooperation." (President Hugh T. Morrison.)

The Massachusetts Federation of Churches:

(A resolution unanimously adopted at the Twenty-seventh Annual Meeting of the Massachusetts Federation of Churches (Inc.), November 13, 1930:)

"Whereas during the past year the great majority of the nations of the world have approved of the protocol containing the Root agreement as to America's five reservations, while no objections have been recorded, thus making it reasonably certain that every member of the World Court is ready to accept America's conditions; and

"Whereas, therefore, there is no valid reason for continued reluctance to signify our own acceptance of the terms agreed upon:

"Therefore the Massachusetts Federation of Churches urges on the President and Senate of the United States early ratification of the protocol of accessions of the United States of America to the Permanent Court of International Justice." (Rev. E. Tallmadge Root.)

The Michigan Council of Churches:

"The Michigan Council of Churches, representing a constituency of 350,000 Michigan citizens, at its second annual meeting on Wednesday, November 19, 1930, at the State capitol, adopted the following resolution:

"Resolved, That this council approve the position of President Hoover in regard to the World Court as a positive influence toward world peace." (Rev. Ralph McAfee.)

The New Hampshire State Council of Churches:

"The New Hampshire State Council of Churches is strongly in favor of the United States entering the World Court at the earliest practical moment, and has so expressed itself by formal action taken at two of its sessions within the past year." (President Edwin T. Cooke.)

The New York State Council of Churches:

"As representing somewhat the interests of 13 denominations in this State and knowing their attitude toward world peace, I

am writing to assure you that the members of these churches are keenly interested in hastening the time when the United States may take its place in the Permanent Court of International Justice." (Rev. Charles E. Vermilya.)

The Ohio Council of Churches:

"The Ohio Council of Churches has repeatedly gone on record favoring American entrance into the World Court. * * * I have every reason to believe that our organization is more strong for said entrance into the court than ever before. We shall be pleased to do whatever is possible in rallying public sentiment to that end." (Rev. B. F. Lamb.)

The Oklahoma State Council of Churches:

"The Oklahoma State Council of Churches at its meeting at Oklahoma City November 24 and 25 voted unanimously as follows:

"That we urge President Herbert Hoover to submit to the Senate at the forthcoming session of Congress recommendation that the United States become a member of the World Court on the basis of the protocols as signed." (Rev. F. M. Sheldon.)

The Pennsylvania Council of Churches:

"The Pennsylvania Council of Churches has always been committed to the joining of the United States and has made very strong pronouncements to this effect. It has seemed to us to be very inconsistent on the part of the United States not to take a favorable action." (Rev. William L. Mudge.)

Federation of Women's Church Societies of Rhode Island:

"In view of the action taken in relation to the entrance of the United States into the World Court last year, by the church groups constituting this federation, I feel confident of their continued deep interest in the matter and that they will welcome the opportunity again to support the President in presenting the World Court protocol to the coming session of the Congress and will urge its speedy ratification." (Mrs. Henry I. Cushman.)

The Federation Council of the Churches of Christ in South Dakota:

"I am hereby writing you to assure you that the Protestant Churches in South Dakota in the Federation Council of South Dakota, members of the Federal Council of the Churches of Christ in America, are hoping that these protocols will be ratified by our Senate, and that we may become members of the World Court. I find a growing sentiment in favor of this action among the members of our Federation Council, and you can assure the President that the Protestant churches of South Dakota will be back of him in this, his desire for ratification." (Rev. H. C. Juell.)

Mid West Office of the Federal Council of the Churches of Christ in America:

"My work as associate general secretary of the Federal Council of the Churches of Christ in America, and especially in the field of extension of State and local cooperation, brings me constantly in touch with the executive secretaries of our city and State councils of churches and with leaders in the different cities. All of these contacts impress upon me more and more the unanimity of the desire of the leaders in the church that the United States should become a member of the permanent Court of International Justice." (Rev. Roy B. Guild.)

IV. Secretaries of city federations and councils of churches and of interdenominational associations of ministers

Atchison (Kans.) Ministerial Association:

"As secretary of the Ministerial Association of Atchison, Kans., I am instructed by the six members now forming this association to inform you that it is our unanimous opinion that the United States of America should become a member of the Permanent Court of International Justice.

"We desire, if possible, that you may convey to President Hoover the fact of our keen interest in this matter. We hope the President will submit to the Senate the protocols as soon as seems best, and that favorable action will be taken there on this vital matter. We believe in America's entrance into the World Court and will do our part to increase the interest in the public here in this course." (Rev. J. Hamilton Woodsum.)

Atlanta (Ga.) Christian Council:

"The Atlanta Christian Council, representing 128 churches of 7 Protestant denominations, wishes to pledge its heartiest sympathy in your effort to encourage the speedy entry of the United States into the World Court. Please convey our sentiments to President Hoover." (Rev. D. P. McGeachy.)

Boston (Mass.) Federation of Churches:

"The ministers and churches of our community are keenly interested in the World Court issue and anxious to have the United States a member. Resolutions to this effect have been passed with practical unanimity in previous years, and we do not feel that our judgment has changed." (Rev. George L. Paine.)

Brooklyn (N. Y.) Federation of Churches:

"It is my firm conviction that the vast majority of the ministers and church leaders in Brooklyn are most heartily in favor of the United States entering fully into the World Court. I think it would be most unfortunate if Congress were to delay action longer." (Rev. Frederick M. Gordon.)

Cambridge (Mass.) Council of Churches:

"The members of the Protestant churches in Cambridge are still as keenly interested as ever in the matter of the World Court protocols. They are ready to stand behind him (the President) and give him their strong support whenever the protocols are presented to the Senate. The United States should certainly become a member of the Permanent Court of International Justice." (Rev. Raymond Calkins.)

Chicago (Ill.) Church Federation:

"The Protestant churches of metropolitan Chicago in the fellowship of the Chicago Church Federation are vitally interested in the matter of American membership in the World Court, and are earnestly awaiting the submitting of the protocols to the Senate and will continue to give their hearty support in pressing for the membership of the United States in the Permanent Court of International Justice.

"The Chicago Church Federation represents 17 denominations and over 800 Protestant churches of metropolitan Chicago." (Rev. Walter R. Mee.)

Detroit (Mich.) Council of Churches:

"The board of directors of the Detroit Council of Churches, in session Thursday, November 6, 1930, at noon, by unanimous vote reaffirmed our previous actions of indorsement of the World Court.

"We will appreciate it if you will convey to President Hoover assurance that, as far as we can ascertain, the members of the churches of our community are keenly interested in the court and earnestly await America's entrance into it.

"We will be glad to support the President whenever in his judgment the time is ripe to lay the protocols before the Senate." (Rev. Ralph McAfee.)

Hartford (Conn.) Council of Churches:

"Our council of churches has already acted favorably regarding the World Court and will do so again. * * * You can count on our action whenever the time seems opportune." (Rev. Edwin Knox Mitchell.)

Indianapolis (Ind.) Church Federation:

"At its meeting on November 15 the executive committee of the Church Federation of Indianapolis passed a motion expressing the desire that President Hoover, without fail, submit the World Court protocol to Congress at the coming session. Similar action had been taken previously at the meeting of the city ministers' association.

"This, we think, expresses the attitude of the thinking people in the churches, who are desirous of seeing progress made in this direction." (Rev. Ernest N. Evans.)

Kansas City (Mo.) Council of Churches:

"I am addressing these few lines to you with the intent of giving you again the assurance of the most cordial support on the part of our church people in this area to the adherence of the United States to the permanent court of international justice.

"Just a short time ago I raised this question with our executive committee and I discovered that without a dissenting voice they were anxious to have every possible action taken which might hasten the time when our country would become a member of the court." (Rev. Irvin E. Deer.)

Los Angeles (Calif.) Church Federation:

"We will give our hearty cooperation to the President of the United States in his effort to have the United States enter into the World Court.

"The Protestant churches of this community are interested in seeing the protocols * * * considered as soon as possible." (Allan A. Hunter.)

Medford (Mass.) Federation of Women's Church Societies:

"Protestant churches in Medford are as keenly interested as ever in the World Court protocols and are awaiting with interest the submitting of them to the Senate, and they heartily support pressing for the membership of the United States in the Permanent Court of International Justice." (Mrs. O. B. Leonard.)

New York (N. Y.) Federation of Churches:

"Protestant churches in Greater New York are as keenly interested as ever in the question of the United States entering the Permanent Court of International Justice. * * * We are convinced that the uniting of our country with other nations in this effort to insure the peace of the world should no longer be delayed." (Rev. W. B. Millar.)

Philadelphia (Pa.) Federation of Churches:

"The directors of the Philadelphia Federation of Churches have repeatedly expressed their earnest hope that the Senate will vote to have the United States become a member of the Permanent Court of International Justice. The interest in this proposal has deepened with the passing of the months." (Rev. Elim A. E. Palmquist.)

Portland (Me.) Church Federation:

"At the last meeting of the executive board of the Church Federation it was voted that the executive secretary be authorized to convey to you that, as a group, they are whole-heartedly behind the President in his attempt to press for the membership of the United States in the Permanent Court of International Justice and that it was the consensus of opinion that a large majority of the church membership of Portland was also concerned about this question and hoped for action." (Mrs. Louis M. Files.)

Portland (Oreg.) Council of Churches:

"I am instructed by the executive committee of the Portland Council of Churches to bring to your attention the matter of entrance of the United States into the World Court.

"It is the judgment of this committee, representing the Protestant churches of Portland, that there is deep concern that the United States Government take the earliest possible action on the protocols, whereby American membership in the World Court becomes a fact. Conditions throughout the world urge the importance of this action on the part of our Government as a friendly and reassuring demonstration.

"To this end I am instructed to request that you speak as the representative of the Portland Council of Churches conveying to the President of the United States our urgent request that such

action be taken by the Government during the coming session of Congress, and assuring him of our hearty support of his endeavors to this end." (Frederick H. Strong.)

Shenandoah (Iowa) Ministerial Association and Council of churches:

"The churches of this community are interested in the entrance of this country into the Permanent Court of International Justice, and he (our President) can count on the support of this community to back him in such a movement." (President L. A. Lip-pitt.)

Toledo (Ohio) Council of Churches:

"By unanimous vote of the Social Service Department and also of the executive board of the Toledo Council of Churches, I am writing to state that the Toledo Council of Churches is glad to reexpress its belief that the United States should become a member of the World Court.

"If President Hoover sees fit in the near future to present the World Court protocols to the Senate, it is our belief that the people of the churches in this city will be glad to support him in that action and to urge upon their Senators the speedy ratification of these protocols." (Harlan M. Frost.)

Trenton (N. J.) Council of Churches:

"As president of the Council of Churches in Trenton, representing 85 Protestant churches, I want to announce that the Protestant churches of the community are heartily behind the proposed World Court and America entering the World Court. I hope you will convey to the President the enthusiasm of the church members of this community." (Rev. William Thomson Hanzsche.)

Washington (D. C.) Federation of Churches:

"So far as the attitude of our local congregations has become known to me, they are favorable to such membership (in the World Court) and hope that our country will not remain aloof any longer." (Rev. W. L. Darby.)

West Roxbury (Mass.) Federated Church Societies:

"At its meeting this year the West Roxbury branch of the Boston Federated Church Societies voted to go on record to the President, Mr. Hoover, as being keenly interested in having the United States take membership in the World Court of International Justice." (Elizabeth Sawyer.)

Wilmington (Del.) Council of Churches:

"We particularly appreciate the difficulties confronting you in the matter of America's representation in the World Court, and I take this opportunity of sending you word to assure you of the very large number of ministers and church people in our community who are deeply concerned and are following you in this work with our prayers and very sincere wishes." (Rev. Charles L. Candee.)

Youngstown (Ohio) Federated Churches:

"A very large majority of the members of the Protestant churches of our city are strongly in favor of the membership of the United States in the Permanent Court of International Justice.

"It is to be hoped that the President will present this matter to the Senate at his earliest opportunity. I am confident that our church people will heartily support him in so doing." (Rev. George L. Ford.)

V. The National Committee on the Churches and World Peace

"The action of the last conference of the Churches and World Peace, representing 37 national religious bodies, was so clear and emphatic that I can say with authority that this great constituency is ardently back of President Hoover in the submission of the World Court protocols and will urge upon the Senate prompt ratification. To quote from the findings: 'This conference is convinced that the tradition of the United States points directly to membership in the World Court * * * and that such membership is essential to the fulfillment of America's international obligations.'" (John Howland Lathrop.)

THE TARIFF

Mr. FESS. Mr. President, recently our friend, Gov. E. C. Stokes, of New Jersey, wrote a very informational letter on the tariff question to the New York Times, which was published in that paper. I ask unanimous consent that it may be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

[From the New York Times, Wednesday, December 10, 1930]

THE TARIFF AS A BENEFIT—WE ARE, IT IS HELD, ACTING FOR OUR OWN BEST INTERESTS

To the EDITOR OF THE NEW YORK TIMES:

I quote from the Times of November 30 the following by Raymond B. Fosdick: "The recent tariff act was a blow struck by one nation at the economic stability of 60 nations. It was the blind, desperate effort of a great country to hang on to the top of the ladder by kicking at every other country."

The writer apparently fails to state that practically every country of industrial importance is raising its tariff walls against American products, as, for instance, Italy, England, France, and Germany against our automobiles; the recent enactments by Canada and the action of other countries favoring the protective policy for their own lands. The protective policy is growing in

favor throughout the world. It is intimated that America is the sole champion of this policy, which is contrary to the facts.

The truth is that America is the greatest free-trade country on earth, with the exception of England. I quote the figures vouched for by former President Coolidge, which may need some slight revision but which are still practically true: "The value of our imports for the last fiscal year showed an increase of more than 71 per cent since the present tariff law went into effect." In other words, President Coolidge shows that the tariff is not a bar to purchases by us from foreign countries; that they sell more to us under the protective tariff than otherwise, because we have a greater buying power. He goes on to say:

"Of these imports about 65 per cent come in free of duty. We have admitted a greater volume of free imports than any other country excepting England.

"We are, therefore, levying duties on about \$1,550,000,000 of imports. Nearly half of this, or \$700,000,000, is subject to duties for the protection of agriculture and have their origin in countries other than Europe. They substantially increased the prices received by our farmers for their produce. About \$300,000,000 more is represented by luxuries, such as costly rugs, furs, precious stones, etc. This leaves only about \$550,000,000 of our imports under a schedule of duties which is in general under consideration when there is discussion of lowering the tariff. While the duties on this small portion, representing only about 12 per cent of our imports, undoubtedly represent the difference between a fair degree of prosperity or marked depression to many of our industries and the difference between good pay and steady work or wide unemployment to many of our wage earners, it is impossible to conceive how other countries or our own importers could be greatly benefited if these duties are reduced."

The last revision of the new bill contains 3,221 specifically mentioned dutiable items and "basket" clauses which cover a number of items. A recent survey by the Tariff Commission shows that 2,171 or 66 per cent of these items remain as they were in the tariff law of 1922. This means that only one-third of the dutiable items are affected by the bill.

The increased duties allowed by the bill are mostly in favor of agriculture. Duties levied on agricultural raw materials are compensatory duties allowed industries using those materials and account for approximately 68 per cent of the total increase. Agricultural duties will jump from 38.10 per cent to 48.92 per cent on raw materials; compensatory duties on agricultural products made from agricultural raw materials, from 36.15 per cent to 48.87 per cent; but the increase in industrial rates in which the compensatory element does not enter is only from 31.02 per cent to 34.31 per cent. The tariff measure is preeminently an agricultural revision upward.

On the basis of these facts, charges that industry stands to gain millions of dollars from this act at the expense of the public are absurd.

The insignificance of the increase of our tariff rates on our industrial products certainly does not warrant the misleading propaganda and indictment of the last tariff legislation that is now being spread throughout the country.

The competition from other countries has grown keenly since the war. The low wages of 140,000,000 Russians, all conscript labor; the low wages of China and Japan, of Germany and Czechoslovakia, with other illustrations that might be cited, make the dumping of foreign products on our shores inevitable unless we raise a protective barrier.

These foreigners pay no taxes in this country, they do not contribute to our churches, or our charities, or our colleges or universities or schools, and in case of war they might fight against our flag. Why should they have the privilege of our markets, which they in no sense create, against our own people and to the detriment of the latter? Not all but a large part of the goods that come in from other countries take work from the American people and reduce the American pay roll.

There is apparently an almost universal demand in this country, whether wise or unwise, to stop immigration; and yet we allow that would-be immigrant to work abroad for beggarly wages, the product of his handicraft being shipped over here, thus preventing the sale of American-made goods and throwing the American workman out of a job.

We forbid the sale of prison-made goods in this country on the ground that it displaces free labor. That policy is universally adopted and is a good one. The same principle applies to the cheap goods that are made by the low-paid labor from other countries.

This free-trade propaganda makes one wonder what has become of our boasted Americanism. Are there no Americans in America to speak for our country and resent the gospel of these internationalists, who seem to have hysterics over American legislation, and who in spirit are foreigners first and Americans last? They are so solicitous for the nations over the seas that one wonders if they are Americans at all.

America has been most generous to the other nations of the world. In the last few years she has sent thirteen billions of capital abroad to help other nations. We helped to fight their battles in the World War. We aided the starving children of Russia and Germany. We were first on the ground with assistance at the time of the Japanese earthquake. Our hand is always extended to aid and help other peoples, and yet if we try to protect our own people, so they can have work and wages, a set of dilatory internationalists howls about the barriers of trade.

E. C. STOKES.

TRENTON, N. J., December 5, 1930.

SETTLEMENT OF CLAIMS

Mr. HOWELL. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 776, the bill (S. 4377) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death.

The VICE PRESIDENT. Let the bill be read for the information of the Senate.

The bill (S. 4377) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death, which had been reported from the Committee on Claims without amendment, was read by title.

Mr. SMOOT. Mr. President, will it take very long to dispose of the measure?

Mr. HOWELL. I trust not. The bill was passed by Congress and pocket-vetoed by President Coolidge because there was in it a provision which provided that the attorneys in the General Accounting Office should conduct any suits which might arise thereunder. That was objected to by the Attorney General's Office. This provision has been excluded from the bill. It is legislation which is highly necessary. It will relieve the committees of Congress of a great deal of work and will provide for uniformity of settlement of tort claims. It will also expedite the claims of claimants against the United States Government.

Mr. SMOOT. Is it a unanimous report from the committee?

Mr. HOWELL. It is a unanimous report.

Mr. BRATTON. Mr. President, I hope the Senator from Nebraska will not insist upon his motion. The bill is a long and comprehensive one. It proposes to confer new powers upon certain departments, including that of the Comptroller General. It proposes to set up a new system for the adjustment of claims, which will apply to thousands of claimants against the Government. It will require some discussion, and probably will consume the entire morning hour. I hope the Senator will let the bill go over until after the Christmas holidays in order that some of us may give it further study and be able to discuss it at that time. The bill can not be disposed of hurriedly this morning. There are several Senators who entertain fixed views about it and who probably desire to voice them. Under those circumstances, let me suggest to the Senator from Nebraska that he allow the bill to go over until after the holiday recess.

Mr. HOWELL. Mr. President, this bill has been before the Senate for about nine months. It has been objected to when it has been reached on the calendar from time to time. There is only one way that the Senate can understand the bill, which proposes to grant certain powers and is somewhat complicated, and that is to discuss it, so that the Senators may understand and appreciate what its passage will mean to Congress in relieving it of unnecessary work, and what it will mean to claimants who come here and importune the various Senators for the settlement of tort claims.

In an act of 1922 Congress provided for the settlement of tort claims not to exceed \$1,000 involving property damage, and provided that they may be settled by the various departments. They are being so settled, but there is no uniformity in the method of settlement.

Therefore, Mr. President, though I am sorry to disagree with the Senator from New Mexico, there is only one way for this bill to be passed—that is, for the Senate to understand it—and I think the sooner we begin to discuss this question and understand it the sooner we shall eliminate the bill from the calendar.

Mr. SMOOT. Mr. President, will the Senator please withdraw his request for the consideration of the bill until we get through with the Interior Department appropriation bill, which has to go back to the House of Representatives?

Mr. HOWELL. I do not want to interfere with the Interior Department appropriation bill, but we are now in the morning hour, and I have now the first opportunity of having this question decided.

Mr. McNARY, Mr. WATSON, and Mr. MOSES addressed the Chair.

The VICE PRESIDENT. Does the Senator from Nebraska yield; and if so, to whom?

Mr. HOWELL. I yield first to the Senator from Oregon.

Mr. McNARY. I think probably, with a short explanation, the Senator from Nebraska, with his sense of fairness, will appreciate the situation now confronting the Senate. Yesterday request was made for an executive session at 2 o'clock. I interposed an objection that the executive session should not be set definitely for that hour if it would interfere with the consideration of two important conference reports.

Mr. President, two conference reports will be in here this afternoon; I expect one regarding drought relief to be here before 2 o'clock this afternoon.

Mr. MOSES. Mr. President, may I interject that the conference report on the Post Office and Treasury Departments appropriation bill is here now?

Mr. McNARY. There are two appropriation bills that are demanding attention. It will be difficult, unless we act promptly, to get the relief measures through before the holiday recess, and they are imperatively important. The measure in which the Senator from Nebraska is so much interested may be loaded with merit, but certainly this is not the time to take it up, when there is pressing need to act upon more urgent legislation; and I appeal to the fairness of the Senator from Nebraska not to insist upon his motion until after the holiday recess.

Mr. HOWELL. Mr. President, I will agree to withdraw my motion if I may have the bill to which I have referred made the unfinished business, and I ask unanimous consent—

Mr. McNARY. Mr. President, may I suggest to the Senator that we have unfinished business now before the Senate, namely, the so-called maternity bill, and we can not pile up order upon order. If the Senator will just be patient, I fancy he will have no difficulty, after we convene in January, in securing consideration of his bill.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator from Oregon a question?

Mr. HOWELL. I yield.

Mr. ROBINSON of Arkansas. When will it be practicable to bring forward the conference report on the bill to which the Senator has referred, namely, the drought relief bill?

Mr. McNARY. Between 1 and 2.30 o'clock this afternoon; that is my hope.

Mr. NORRIS. Mr. President, I should like to suggest to the Senator from Oregon that the two important conference reports which will necessarily have to be considered before any holiday recess can be taken are both now in the other House; neither one is here.

Mr. SMOOT. But the Interior Department appropriation bill is here.

Mr. NORRIS. Yes; but that is not so important; if that bill shall not be passed until after the holiday recess, it will not make any difference. The conference reports of which the Senator from Oregon speaks, however, are both emergency measures. Why can not the Senator from Nebraska go on with his bill, at least until one of the conference reports to which the Senator from Oregon has referred reaches the Senate, if his bill shall not have been disposed of before that time?

Mr. McNARY. Mr. President, in answer to the Senator, let me say that yesterday we came to a moral understanding that at 2 o'clock to-day we would proceed to the consideration of executive business.

Mr. NORRIS. There was a condition attached to that understanding, namely, that it should not interfere with the conference reports on the emergency bills.

Mr. McNARY. I appreciate that, and I think I made a similar suggestion. I expect the conference report on the drought relief bill to be here at 1 o'clock; that is only 35 minutes from now; and it would be idle to undertake to discuss an important bill for 35 minutes, and it would interfere very greatly with what we can accomplish to-day. I think the Senator from Nebraska understands the situation, and I sincerely hope that he will withdraw his motion.

Mr. HOWELL. Mr. President, time and again this bill has been before the Senate; time and again it has been reached, and the statement made that there was something else that was more important and it should not be considered. There are now nearly 40 minutes left of the morning hour, which is set aside for just such purposes as the discussion of bills of this character.

Mr. MOSES. Mr. President, will the Senator permit me to make a suggestion?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. HOWELL. I yield.

Mr. MOSES. I suggest to the Senator that he enter a motion now, which we can dispose of, to make the bill a special order for a given day following the holiday recess.

Mr. SWANSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Virginia will state it.

Mr. SWANSON. Only five minutes debate is permitted before 2 o'clock, is it not?

The VICE PRESIDENT. No debate is in order now if any Senator objects until the bill shall have been taken up.

Mr. SWANSON. We can dispose of this question by a vote if an agreement can not be reached.

The VICE PRESIDENT. But if the bill shall be taken up on motion debate would be unlimited.

Mr. SWANSON. But no debate is in order on the motion to take the bill up.

The VICE PRESIDENT. No debate is in order if any Senator objects.

Mr. HOWELL. Well, Mr. President—

Mr. SWANSON. I call for the regular order.

Mr. HOWELL. I move that this bill be made the special order for 2 o'clock on the 5th day of January.

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LA FOLLETTE. It requires a two-thirds vote to make the bill a special order, does it not?

The VICE PRESIDENT. It requires a two-thirds vote in order to make it a special order.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska.

The motion was rejected.

Mr. HOWELL. I ask permission to proceed with this bill at the present time.

The VICE PRESIDENT. Objection was made by the Senator from Virginia, who demanded the regular order.

Mr. SWANSON. We can act on a motion to consider the bill, but I want the matter disposed of. If a motion to consider the bill were agreed to and the bill should be taken up, there would be no limit to debate on it.

Mr. HOWELL. I move that the Senate proceed to the consideration of the bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska to proceed to the consideration of the bill, which the Secretary will state by title.

The CHIEF CLERK. A bill (S. 4377) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death.

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska.

The motion was rejected.

ACTION OF STATE DEPARTMENT ON FOREIGN LOANS

Mr. SMOOT obtained the floor.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Virginia?

Mr. SMOOT. I yield.

Mr. GLASS. Mr. President, there is on the desk a resolution offered by me some time ago directing the Department of State to discontinue the exercise of a lawless function in the matter of undertaking to approve or disapprove loans negotiated by banks in this country with citizens of foreign countries and with foreign nations. I refer to Senate Reso-

lution 305: I want to ask to have the resolution referred to the Committee on Banking and Currency, with the intention of asking that committee to report it immediately after the holiday recess.

I do this because I notice in the press dispatches that the State Department found it desirable the other day to disclaim having disapproved certain loans by American banks to Italy upon the ground that it would not sanction any loan to Italy until Italy yielded in the matter of its differences with France on the question of naval disarmament.

Mr. REED. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Pennsylvania?

Mr. GLASS. Yes; I yield.

Mr. REED. I saw the statement by the State Department. As it was issued, it was to the effect that the department had not been asked to consider any such loans and had not considered them.

Mr. GLASS. That I know.

Mr. REED. The subject had never been brought up.

Mr. GLASS. I say that I know, and that I am saying, but we should not have a situation in this country where the State Department feels compelled to deny that it has done something that it has no lawful right to do in any event.

The VICE PRESIDENT. The resolution will be referred to the Committee on Banking and Currency.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. SMOOT. I move that the Senate proceed to the consideration of House bill 14675, being the Interior Department appropriation bill.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. NORRIS. I do not ask the Senator to yield. I desire to submit a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Nebraska will state his parliamentary inquiry.

Mr. NORRIS. If the motion of the Senator from Utah shall prevail, and the bill shall not have been disposed of before 2 o'clock, will it not displace the unfinished business?

The VICE PRESIDENT. No; the unfinished business will be laid down at 2 o'clock.

Mr. NORRIS. Then the appropriation bill would not displace the unfinished business?

The VICE PRESIDENT. It would not. The question is on the motion of the Senator from Utah.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. SMOOT. I ask that the formal reading of the bill may be dispensed with and that the bill may be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Office of the Secretary, salaries," on page 2, line 5; after the name "District of Columbia," to strike out "\$358,000; in all, \$373,000" and insert "\$360,780; in all, \$375,780," so as to read:

Secretary of the Interior, \$15,000; First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, \$360,780; in all, \$375,780.

The amendment was agreed to.

The next amendment was, under the subhead "Office of solicitor," on page 3, line 22, to increase the appropriation for personal services in the District of Columbia from \$120,000 to \$120,500.

Mr. SMOOT. Mr. President, nearly all the amendments to the bill are caused by the Budget salary increases. There are very few amendments, I think only about half a dozen,

outside of those made necessary by the salary increases as reported by the Budget. I ask unanimous consent that all the amendments covering those increases be agreed to en bloc.

Mr. ROBINSON of Arkansas. Let us have an explanation of that request, Mr. President.

Mr. HEFLIN. Mr. President, will the Senator yield?

The VICE PRESIDENT. The Senator from Arkansas rose to ask a question. Does the Senator from Utah yield to the Senator from Arkansas?

Mr. SMOOT. I yield.

Mr. ROBINSON of Arkansas. I think that before an omnibus arrangement of that nature is made, we should at least have an explanation as to what the increases are, and something should be said about the necessity for them.

Mr. SMOOT. Mr. President, it is the same action we took with respect to the Treasury appropriation bill. The increases are provided for under what is known as the Brookhart salary law. Similar increases are found in the appropriations for all the different departments of the Government.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. HEFLIN. What will the increases amount to?

Mr. SMOOT. The increases in this particular bill amount to \$248,194.

Mr. BRATTON. Mr. President, it is my understanding that all of those increases merely carry out existing law.

Mr. SMOOT. Yes; they carry out existing law as construed by the department, and I think rightfully construed.

Mr. ROBINSON of Arkansas. What are the items?

Mr. SMOOT. The items are the salaries which have been affected by the salary increases. I do not know how many of them there are in this bill, but in the appropriation bill for every department increases have been made to take care of the increases in salaries.

Mr. ROBINSON of Arkansas. I think we had better proceed in the regular manner.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 3, line 22.

The amendment was agreed to.

The next amendment was, under the subhead "Expenses of Indian Commissioners," on page 6, line 23, before the word "of," to strike out "\$14,100" and insert "\$14,300," and in the same line, after the word "exceed," to strike out "\$9,000" and insert "\$9,200," so as to read:

For expenses of the Board of Indian Commissioners, \$14,300, of which amount not to exceed \$9,200 may be expended for personal services in the District of Columbia.

Mr. SMOOT. That is a salary increase.

The amendments were agreed to.

The next amendment was, under the heading "General Land Office, salaries," on page 7, line 4, after the name "District of Columbia," to strike out "\$732,000" and insert "\$741,160," so as to read:

For Commissioner of the General Land Office and other personal services in the District of Columbia, \$741,160, including one clerk of grade 1, clerical, administrative, and fiscal service, who shall be designated by the President, to sign land patents.

Mr. ROBINSON of Arkansas. Is that in the same class?

Mr. SMOOT. It is the same.

The amendment was agreed to.

The next amendment was, on page 8, line 18, after the name "Secretary of the Interior," to strike out "\$700,000" and insert "\$706,480," so as to read:

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, \$706,480.

Mr. SMOOT. That is the same thing, a salary increase.

The amendment was agreed to.

The next amendment was, on page 10, line 1, after the word "another," to strike out "\$192,500" and insert "\$193,460," so as to read:

Contingent expenses of land offices: For clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money; traveling expenses of clerks detailed to examine the books and management of district land offices and to assist in the operation of said offices and in the opening of new land offices and reservations, and for traveling expenses of clerks transferred in the interest of the public service from one district land office to another, \$193,460.

Mr. SMOOT. That is a salary increase.

The amendment was agreed to.

Mr. ROBINSON of Arkansas. Mr. President, if the Senator from Utah can state the amendments which would be comprehended in his request for omnibus action, I know of no reason why the Senate might not agree to it. But just to say that all amendments that have relationship to a particular subject be agreed to I think is bad practice.

Mr. SMOOT. It would be.

Mr. ROBINSON of Arkansas. Perhaps we had better go right ahead.

Mr. FLETCHER. I think we will save time by going on in the regular way.

Mr. SMOOT. So do I.

The PRESIDING OFFICER (Mr. Fess in the chair). The Secretary will report the next amendment.

The next amendment was, on page 10, line 14, before the word "including," to strike out "\$485,000" and insert "\$488,220," so as to read:

Depredations on public timber, protecting public lands, and settlement of claims for swamp land and swamp-land indemnity: For protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; protecting public lands from illegal and fraudulent entry or appropriation, adjusting claims for swamp lands and indemnity for swamp lands; and traveling expenses of agents and others employed hereunder, \$488,220, including not exceeding \$35,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motor boats for the use of agents and others employed in the field service and including \$60,000 for prevention and fighting of forest and other fires on the public lands, to be available for this and no other purpose, and to be expended under the direction of the commissioner.

Mr. SMOOT. That is a salary increase.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Indian Affairs, salaries," on page 11, at the end of line 9, to strike out "\$465,000" and insert "\$472,440," so as to read:

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, \$472,440, and in addition thereto the unexpended balance for this purpose for the fiscal year 1931 is continued available for the same purpose for the fiscal year 1932.

Mr. SMOOT. That is the salary increase.

Mr. KING. Mr. President, I am not sure whether this is the appropriate place to offer an amendment or not, but the amendment I propose to offer will be in harmony with the suggestion made by Mr. and Mrs. Crawford, representing the Klamath Indians. They objected to an appropriation.

Mr. SMOOT. Mr. President, this is not the place, I will say to my colleague. When we come to the Indian section whatever amendment the Senator desires to offer can be offered, after we get through with the amendments of the committee.

Mr. KING. I have no objection to that course.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 11, line 9.

The amendment was agreed to.

The next amendment was, on page 14, at the end of line 2, after the figures "\$23,000," to insert a comma and "to be immediately available," so as to read:

For the purchase of supplies and equipment and the employment of labor for the construction and repair of telephone lines between Gallup, N. Mex., and the Zuni Indian Agency; and within the Jicarillo Reservation, N. Mex., \$23,000, to be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "Expenses in probate matters," on page 15, line 22, after the name "Secretary of the Interior," to strike out "\$73,000" and insert "\$73,260," so as to read:

For the purpose of determining the heirs of deceased Indian allottees having right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, \$73,260, reimbursable as provided by existing law, of which \$18,000 shall be available for personal services in the District of Columbia.

Mr. SMOOT. That is a Budget increase.

The amendment was agreed to.

The next amendment was, on page 16, line 9, after the word "attorneys," to strike out "\$40,000" and insert "\$40,600," so as to read:

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, \$40,600.

Mr. SMOOT. That is a salary increase.

The amendment was agreed to.

The next amendment was, under the subhead "Indian lands," on page 18, line 2, to strike out "\$3,700" and insert "\$3,800," so as to read:

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, \$3,800.

Mr. SMOOT. That is a salary increase.

The amendment was agreed to.

The next amendment was, on page 21, line 2, after the name "Red River in Oklahoma," to insert a colon and the following proviso:

Provided, That said sum herein made available shall be paid out in two equal installments—one during the month of October and one during the month of March.

So as to read:

For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, \$200,000, from the tribal trust fund established by joint resolution of Congress, approved June 12, 1926 (44 Stat. p. 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma: *Provided*, That said sum herein made available shall be paid out in two equal installments—one during the month of October and one during the month of March.

Mr. SMOOT obtained the floor.

Mr. HOWELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. I was just going to explain the amendment, and then I will yield.

Mr. HOWELL. Very well.

Mr. SMOOT. That amendment was put into the bill at the request of the junior Senator from Oklahoma [Mr. THOMAS]. The only purpose of the amendment is to advise the Indians when they can expect this money.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, that the House insisted on its disagreement to the amendments of the Senate numbered 11, 12, and 14 to the said bill, agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD, Mr. CRAMTON, Mr. WASON, Mr. BYRNS, and Mr. BUCHANAN were appointed managers on the part of the House at the further conference.

SETTLEMENT OF CLAIMS

Mr. HOWELL. Mr. President, it seems that the only way to get an opportunity to present a question to the Senate is to proceed, and I shall take the liberty at this time of presenting to the Senate the merits of Senate bill 4377, the so-called tort bill.

I think it will be agreed that the Government of the United States should respond to claimants where wrongs have been done in connection with property, or where life and limb are involved; and there ought to be some means whereby those wrongs can be corrected and damages allowed without undue time passing, so far as the claimant is concerned.

At the present time, however, there is no general method of settling tort claims against the United States where the claims arise out of the acts of public officials in the performance of their duties. It is true that in 1922 Congress saw fit to give authority in a limited degree to the independent departments of the Government to settle tort claims involving property to the amount of \$1,000. But what has been the result? There have been about as many different kinds of settlement in connection with similar claims as there are departments, and oftentimes, as before 1922, a claim coming before the War Department, for instance, is delayed several months before a result is obtained.

As to claims of over \$50,000, they all have to come to Congress; they come before one of the Committees on Claims and they come before that committee with ex parte evidence only. They have not been properly investigated. There has not been a proper report made. The evidence before the Claims Committee is evidence upon which no court would attempt to settle a claim.

What this bill proposes is this: The orderly collection of the testimony; its collation; its presentation to the General Accounting Office; and, if the claim does not exceed \$1,000, the Accounting Office has the right to settle the claim in the light of the recommendations of the various departments, in the light of the testimony they have gathered, and in the light of such additional testimony as the Accounting Office may gather.

Mr. SHORTRIDGE. Up to \$1,000?

Mr. HOWELL. One thousand dollars, and no more.

Mr. NORRIS. Mr. President, is there any provision for the cross-examination of witnesses?

Mr. HOWELL. There is no provision of that character. The claimant makes his claim; he presents his claim to the department.

Mr. SHORTRIDGE. What department?

Mr. HOWELL. The department the employee of which has been guilty of the tort. This is merely in connection with property damage. He presents all the facts. The department makes a complete and full investigation. The report is presented to the General Accounting Office. The Accounting Office then makes such investigation as it deems proper. The Accounting Office then makes a settlement, and if the party is not satisfied he can go to the Court of Claims as on certiorari upon that record.

Thus far we give no more power to the General Accounting Office than is enjoyed by the various departments, but we do provide in this manner for a uniform method of settlement of such claims.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

Mr. HOWELL. I yield.

Mr. SHORTRIDGE. Do I understand that this bill proposes that in connection with torts a given department has the authority, the power, to hear and determine and dispose of a claim?

Mr. HOWELL. At the present time that is the fact, up to a thousand dollars.

Mr. SHIPSTEAD. Mr. President, I make the point of order that the Senate is not in order.

The PRESIDING OFFICER. The point of order is well taken. The Senate will be in order.

Mr. SHIPSTEAD. The Senator from Nebraska is discussing a very important question, and I want to hear the discussion.

Mr. SHORTRIDGE. I will put the question again, Mr. President. I have not read the bill, wherefore I have asked the Senator as to its general scope. What power, if any, is given to a particular department; and has the department the full power to hear and determine and pass upon a claim; and will its decision be final and binding upon the Government?

Mr. HOWELL. At the present time each department has the power and authority to determine tort claims not exceeding a thousand dollars in amount and to pay them out of their own appropriations. This bill proposes that these departments shall get together all the evidence and present the evidence to the General Accounting Office, and then the General Accounting Office may make the settlements.

Mr. NORRIS. The effect of that is to make the practice uniform.

Mr. SHORTRIDGE. Is there a limit as to the amount?

Mr. HOWELL. A thousand dollars.

Mr. SHORTRIDGE. It is limited to that?

Mr. HOWELL. Just the same limit as is now imposed upon the departments.

Mr. SHORTRIDGE. That is to say, a claim for \$2,000 will not be entertained?

Mr. HOWELL. It will not be entertained, except in a case such as I will cite. I am about to come to a discussion of claims of more than \$1,000.

Mr. SHORTRIDGE. Arising out of tort?

Mr. HOWELL. Arising out of tort, affecting property. Where the claim is for more than \$1,000 and not in excess of \$50,000—

Mr. SHIPSTEAD. Mr. President, before the Senator gets to that, will he yield?

Mr. HOWELL. I yield.

Mr. SHIPSTEAD. In this method of settlement, will there be any opportunity for the claimant and the representatives of the department to meet before the case goes to the comptroller?

Mr. HOWELL. The claimant can present all of his evidence to the department, and he can gain from the department what its attitude is.

Mr. SHIPSTEAD. Can he gain from the department information as to what the decision of the department is, so that he can answer what he may consider a misstatement of fact?

Mr. HOWELL. The department does not conclude anything. All the department does is to present the facts to the General Accounting Office, and then the claimant can go to the General Accounting Office and present any evidence he sees fit.

Mr. SHIPSTEAD. In addition?

Mr. HOWELL. In addition.

Mr. SHIPSTEAD. He will have the right to see the argument of the representatives of the department, so that he can answer it if he thinks it is wrong in the statement of facts?

Mr. HOWELL. There is no provision of that kind in the bill.

Mr. SHIPSTEAD. Does not the Senator think that there should be such a provision in the bill?

Mr. HOWELL. So far as the bill is concerned now, it does not give the General Accounting Office any more power or authority than the departments have, and it gives it the same authority the departments have; in other words, we follow the law of 1922 exactly up to the point where the settlement is made, and then the settlement is made by the General Accounting Office. That is the change from the law of 1922, and there is no other change of any kind or character.

Mr. SHIPSTEAD. What I am trying to get at is this, Is this arrangement for settlement a paper settlement, or is there an opportunity for the claimant and the representatives of the department to meet?

Mr. HOWELL. There is every opportunity for the claimant and the department to meet, just exactly as they meet now.

Mr. SHIPSTEAD. I understand that as they meet now it is unsatisfactory.

Mr. HOWELL. It is unsatisfactory in this, that one department makes one kind of a settlement in connection with a particular claim, and in connection with a similar claim another department could adopt different principles in making the settlement.

Mr. SHIPSTEAD. I understand that.

Mr. HOWELL. But at the present time there is no objection, so far as I know, to this method of settlement by the departments, except that the departments themselves feel that these settlements are not similar in the various cases, and that they ought to be made similar. In order that Senators may realize that fact I desire to read from a letter written by the Secretary of War. He said:

It has recently come to my attention that there is a lack of uniformity in the various departments of the Government with respect to the payment of claims, particularly those arising under the act of December 28, 1922.

That is the act about which I have been talking. He proposes in this letter that there shall be cooperation between the departments, a sort of an interdepartmental committee appointed to arrive at some general principles for the settlement of claims.

When this matter was called to the attention of the General Accounting Office the General Accounting Office replied that this is exactly what was being attempted in a bill pending before Congress, which was passed by Congress, but pocket-vetoed. That is why I am here on the floor now trying to provide for the uniform settlement of claims, granting no more power to the General Accounting Office than the departments have now; and covering the same kind of claims up to this point. We do provide this, which is not provided in the law of 1922, that if anyone is dissatisfied, he can appeal to the Court of Claims as on certiorari. It certainly is an advance over the method in vogue at the present time.

Mr. President, I shall now talk about tort claims, in relation to property, exceeding a thousand dollars and up to \$50,000. In the cases of such tort claims the evidence is collected by the departments just exactly the same, and is then presented to the General Accounting Office; the General Accounting Office then arrives at a settlement. If the claimant is not satisfied, he has a right to appeal to the Court of Claims as on certiorari, but if he does not appeal, then the claim comes to Congress for payment.

There is no authority whatever given the General Accounting Office to pay a claim of that character. It comes to Congress for appropriation and payment and Congress can take whatever action it sees fit. But there is an orderly method provided for the taking of evidence in these claims so that they do not come before committees on ex parte evidence, which is exactly what is going on here constantly at the present time.

There is another thing for which the bill provides, and that is the settlement of tort claims involving injury or death of individuals. At the present time those claims come before the committees of Congress upon ex parte evidence, which in many cases no court would consider. When I first became a member of the Committee on Claims, inasmuch as I had had some 10 years' experience in the settlement of claims, I called the attention of the members of the committee to the fact that there ought to be a method provided to take testimony in the cases; that certainly no member of the committee had the time to collect the evidence; that the chairman could not collect the evidence.

Mr. President, there are 1,100 bills before the Claims Committee which have been introduced in this Congress, and probably the number will be 1,300 before we get through. I say to the Senate that the method used in the settlement of claims is 100 years behind the times. What can this committee know about a tort claim which involves personal injury and death? We are there very much like an insur-

ance company, but with none of the facilities of the insurance company. A man is injured out in California. How do we get information as to the facts in the case? We have no physician in San Francisco to whom we can appeal and ask to go and examine the injured party. We find that affidavits are presented which on their very face do not coincide with other facts in the claims presented. But how are we to weed out and determine which are correct? Certainly, the chairman of that committee has not the time to do it. If he did that, he would do nothing else, and he would have to work 365 days in the year unless we had given to him adequate assistance.

It is time that Congress did something to end this practice. Claims come before the committee that would have no standing whatever in court. They are submitted upon hearsay testimony, upon evidence that is far from the best evidence, and many times the claims are passed by Congress. It is plain at least that we should provide for a method of investigation of claims, collating the evidence, and presenting it in the manner in which it might be received in the courts.

The bill provides that in the case of personal injuries or death the claimants shall file their claims with the Compensation Commission, which has been set up by the Government and which has the machinery to investigate claims of personal injury and death; that they shall file all their evidence before the commission and shall be heard by the commission, or that representatives of the claimants may be heard by the commission. After the commission has collated the evidence, the evidence is then transmitted to the General Accounting Office. The General Accounting Office then audits such claims and the claims come to Congress for appropriation and payment.

Mr. TYDINGS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. HOWELL. I yield.

Mr. TYDINGS. In a case where there would not be jurisdiction normally taken by the Compensation Commission, such as where a military airplane falls into a field upon a farmer who is plowing his ground and kills him, where would the claimant take such a claim under the Senator's bill?

Mr. HOWELL. To the Compensation Commission.

Mr. TYDINGS. There is no compensation involved in it. The man was not a Government employee.

Mr. HOWELL. That simply involves cases of tort. Suppose a man working in a field is killed as a result of the falling of one of our military airplanes. I think it must be agreed that the family is entitled to something.

Mr. TYDINGS. Legally it might be that they could not recover in a court of law because there has been no negligence. If there is no legal liability, what would be done with such a claim in its presentation to the Compensation Commission?

Mr. HOWELL. If Congress did not see fit to grant a claim of that sort, it would not be granted, because every claim comes before Congress and must be passed on by Congress.

Mr. TYDINGS. I am not taking issue with the Senator, but the point I make is that the relatives of the deceased, his widow and children, would probably be here five or six years before they would get the claim through under the present procedure.

What I am hoping is that the Senator provides for the setting up of some machinery to expedite these matters where simple justice shall be done and that the commission will not only take in and consider strictly legal cases, but be broad enough to be a fact-finding body for all these claims, so that Congress may have a recommendation before it as to whether there is justice in the claim or not.

Mr. HOWELL. As a matter of fact, that is exactly what the Compensation Commission would be in such cases, a fact-finding commission. It is peculiarly equipped to find the particular facts. At the present time, if a case of that kind comes before Congress, I think the Senator is aware

that it comes before Congress in the most incomplete manner.

Mr. TYDINGS. May I also state to the Senator that he is no doubt familiar with a bill which I introduced as soon as I came to the Senate, known as the Aberdeen Proving Ground bill. Legally I doubt if the claimants have any case at all in court. The Government told them it would be responsible for certain acts it performed. They accepted the Government's word. I then introduced the bill simply to refer the facts to the Court of Claims in order that we might find out whether or not those people had any amount of money still owing to them. When the bill came up on the floor of the Senate it was so amended that it is of little value if it goes to the Court of Claims. In that case the Senate said:

Notwithstanding the Federal Government, exercising its right of eminent domain and its right of confiscation in time of war, has taken property for which it has not made compensation, legally those men could not maintain their case at bar and therefore we will not give them the money, even though we promised we would in 1918 when we took their property.

It seems to me the Senator's bill ought to be broad enough so that claims to be considered are not confined to purely tort or legal limitations, but that where there is enough injustice done by the Federal Government to make any claims worthy of compensation then the claimant ought to get it, law or no law. I do not think the Federal Government should hide behind legal technicalities where it is more or less bound to maintain its side of the controversy.

Mr. HOWELL. The bill is broad enough to cover every kind of claim. The claimant will have to come and present his evidence. After he has presented his evidence it will be passed on to the General Accounting Office. Any additional evidence that may be available to the General Accounting Office that was not available before will be included. Recommendations will then be made to Congress, and Congress will have the final determination as to what shall be done.

Mr. President, I have covered the three classes of claims covered by the bill. The first class is that form of tort involving property where the amount does not exceed \$1,000. The second class are tort claims exceeding \$1,000 but not exceeding \$50,000. The third class are tort claims involving personal injury and death. All except the first class of claims, those involving not more than \$1,000 and involving property owners, must come to Congress for final disposition; but they come to Congress with a full record or at least with a record such as we have not been receiving and do not receive at the present time in connection with claim bills. Certainly Congress ought to allow its committees to utilize the present facilities of Government for the collection of evidence in connection with claims against the Government which it is the duty of those committees to consider and dispose of.

Mr. President, there are certain classes of claims which are eliminated from the bill entirely in connection with torts involving property, such as any claim arising out of the loss or miscarriage or negligent transmission of postal matter; any claim arising in respect of the assessment or collection of any tax or customs duties; any claim relating to loss, damage, or destruction of the property of officers and enlisted men in the naval service, Marine Corps, Coast Guard, or Nurse Corps; any claim arising out of conveyance, transfer, assignment, or delivery of money or other property, or out of the payment to or seizure by the President or Alien Property Custodian of money or other property or in the administration of the provisions of the trading with the enemy act; any claim arising out of the administration of the quarantine laws except the laws administered by the Public Health Service of the Treasury Department; any claim arising out of the activities of the Government, its agents and employees, relating to flood control; any claim arising out of the activities of the Government, its agents or employees, relative to river and harbor work.

There is nothing in the bill that is particularly new. It simply provides for the collating of evidence and for the uniform settlement of such claims as are now authorized to be settled by the independent departments of the Govern-

ment. But when we come to those claims involving personal injury and death, where there is now no method whatever for settlement except by reference to Congress, we merely provide for the collating of the evidence, its audit, and its submission to Congress for Congress to determine whether or not the recommendation shall be followed or whether some other course shall be determined upon in the settlement of a particular claim.

In the case of tort claims involving personal injury and death there are also exceptions. Any claim provided for in the Federal employees' compensation act we do not attempt to duplicate, nor any claim for injury or death incurred in line of duty by military or naval forces where relief is provided for otherwise.

As I have stated, there is no claim for injury or death in excess of \$7,500 that is included in the bill or that can be settled under the terms of the bill. There is also a provision in the case of death that hospital services, where the Government is liable, are to be paid, and there is an allowance for funeral benefit of not to exceed \$200.

There is no question about the merits of the bill. It is no great departure. It simply provides for efficiency in the settlement of tort claims. We now have claims coming before the committee accompanied by practically no evidence that would be received in any court.

Under this bill the evidence to be presented would be of a character that would be received in court. Claimants would be enabled to make out their cases in proper form and to offer their proof in such manner that it could be understood. At the present time, however, evidence submitted to committees of the House and of the Senate—I assume it is so in the House—is often of a character that is contradictory; in a form that means nothing but the turning down of the case, because certainly claims should not be paid by Congress where there is no adequate proof.

Mr. President, there is now no general law providing for the adjustment of tort claims against the United States by either General Accounting Office, administrative officers, or the courts. The consequence is that the Claims Committees of Congress are burdened with numerous private bills for the payment of tort damages caused by acts of omission or commission of officers of the United States, and a considerable part of the time of Congress is consumed in the consideration of such of the bills as are favorably reported by the respective committees. The burden on Congress and the injustice to claimants have become so great that provision should be made for the utilization by Congress of the assistance of the established machinery of the Accounting Office and of the judicial branch of the Government for the settlement of tort claims in the same manner as provision has been made for such utilization in the settlement of contract claims against the United States.

The act of February 24, 1855, establishing the Court of Claims, limited suits therein to claims "founded upon any law of Congress, or upon any regulations of an executive department, or upon any contract, express or implied, with the Government." The act of March 3, 1887, slightly extended the jurisdiction of the Court of Claims by adding claims "for damages, liquidated or unliquidated, in cases not sounding in tort." These statutes were carried forward into the Judicial Code of March 3, 1911. However, there have been enacted from time to time many special statutes conferring jurisdiction on district courts to hear and determine particular claims sounding in tort against the Government, and there is a general statute which authorizes the Court of Claims to hear claims for the tortious acts of the Government in the infringement of patents. That is provided for now.

In taking over the railroads and collateral services and in establishing a Shipping Board for the merchant ships, the Government placed itself in the position of a private operator. That is, it submitted itself to tort liability in connection therewith.

There have also been enacted from time to time numerous private bills for the payment of damages to persons or property because of tortious acts of employees or other agents of

the United States. In addition to these private acts the Federal workmen's compensation act of September 7, 1916, has been enacted providing compensation for the disability or death of an employee "resulting from a personal injury sustained while in the performance of his duty," and Congress provided in the act of July 11, 1919, for compensation for damage to property by Army aircraft, and by the act of December 28, 1922, provision was made for the satisfaction by the heads of the executive departments or independent establishments of the Government of certain claims for damage to or loss of private property not in excess of \$1,000 "caused by negligence of any officer or employee of the Government acting within the scope of his employment." An act of the same date gave the Secretary of the Navy authority to settle maritime collision claims up to \$3,000.

In other words, it may be said that Congress has recognized the general liability of the Government within maximum amounts for the negligence of officers and employees of the United States, but the machinery for determining that liability is defective and results in overburdening the Claims Committees of Congress and Congress itself with the consideration of tort liability claims and with injuries to the claimants without adequate evidence, or with evidence of such a character in many instances that no insurance company would entertain it for a moment. Claims come before the committee that are 10 years old. The evidence is purely hearsay. It is said the claimant did receive an injury at that time but that he did not make a report of it because he did not know about the matter; and yet, in some of those cases it will be found where such evidence is presented that the claimant had received benefits from the compensation act at the time of the accident upon which the compensation is sought years after its occurrence.

It is time we had some regular, orderly manner of collating evidence so that claimants could be assured that the character of evidence they were presenting was of such a character that it could be seriously considered by Congress. But oftentimes a committee says, "Well, it is too bad; this man evidently has suffered, and it does look as if there might be something in his case"; and sometimes such claims are presented and acted upon favorably here on the floor of the Senate.

Public business can not be done under methods any different from those employed by private business unless we are willing to forego in the conduct of Government business the efficiency which characterizes private business. One of the main causes of inefficiency in government to-day is the fact that we will do things in the name of the Government of the United States, even when a purely business proposition is involved, that no private business institution would do under any circumstances. When the Government undertakes business or anything approaching business, it must adopt the same methods as are pursued by private business or failure is absolutely certain to follow.

The Alaska Railway is an example of that sort of thing. We entered upon the construction of that railway without, in my opinion, knowing what the facts were. One end of the Alaska Railway was at the Tanana River, a branch of the Yukon; the other end was on the Alaskan Gulf; and although building the railroad from the Tanana River south required the shipment of freight over the White Pass Railroad down the Yukon River, nearly to its mouth, and then up the Tanana River to the point where the railroad was to end, part of that railroad was built in that manner, and \$80 a ton was paid for freight on the rails and ties, for instance, and other supplies to the point on the Tanana River where that construction was started. The record of the construction of that railway, I think, is certainly a blot upon the Interior Department. Why they did it I can not imagine. How can the Government expect to succeed in railroad building or anything else when such methods are pursued? I can only surmise why it was done. Those behind the undertaking were probably afraid that if they did not get that railroad constructed quickly it would not be built at all, and so they began at both ends—on the Alaskan Gulf and on the Tanana River.

Mr. President, it is methods of that kind that cast upon the attempts of Congress in various undertakings in this country a question mark as to efficiency. How many times do you think, Mr. President, such things have occurred? I stood on the floor of Congress here when we passed a bill authorizing the loaning of money to shipping concerns at the lowest rate at which the Government was issuing its securities.

I urged on the floor of the Senate that the minimum should be fixed at 4 per cent, but that was denied, and to-day the Government is loaning to shipping concerns, as a bonus, money for 1½ per cent for 20 years. Suppose I came here and asked that the Nebraska farmer be treated upon that basis; what would be said? Yet there is a bill here on the calendar—and the Senate will not pass it—to correct that situation. Let me say furthermore that it is not a bill introduced by me, but it is now on the calendar, and makes provision that the shipping concerns shall not be able to get the money for less than 2 per cent from the Government. However, that bill has been objected to every time it has come up here for consideration. There are those who want the shipping companies to secure the money from the Government at 1 per cent, if possible. What can we expect when methods of that character are pursued by the Government? There can be only one result.

Mr. President, that has been the trouble with our whole shipping program. Imagine a man going into business, any line of business in this city, and running his business so as not to interfere with his competitors. Just imagine him running his business so that whenever his competitor complained he would immediately withdraw. In the case of the shipping business the only reason complaint was made by private companies was that the Government vessels were getting some of the competitors' business. How could you expect, Mr. President, any commercial concern running a business on such a basis to succeed? You would hardly expect a small boy without any knowledge of business to attempt to conduct a popcorn stand on any such basis. Yet that is exactly what we have done in the shipping business. We have attempted to run a commercial business without injuring our competitors.

Mr. President, I put that question to the manager of the Shipping Board and asked him if that was not the trouble with our shipping enterprise. His reply was, "Why, HOWELL, it is worse than that; we are attempting to conduct a commercial business by aiding our competitors." Yet we will sit here and allow that kind of thing to go on and the people's money to be expended and wasted, and then we will add on top of such a mountain of unwisdom a provision to loan shipping concerns money for 1½ per cent for 20 years; and, in my opinion, they can get it for less than that now, if the Shipping Board will grant them the loans, and I have not a doubt they are after the money right now, because Government securities have been floated recently at a very low rate of interest. Why should we not pass that bill? We ought not to adjourn before we pass a bill of that kind unless we have no regard for the Treasury of the United States.

The farmers in the Middle West are losing their farms to-day because insurance companies will not renew their loans without payment upon principal and because when they do renew loans they want from 1½ to 2 per cent commission; and yet if I came in here with such a proposition as that to relieve the farmers of the Middle West, what would be said? Would there be any chance to aid the farmer? I imagine there would not be, but the shipbuilding industries, great corporations in New York, can get money from the Government on such terms.

If an individual or corporation wants money out of the Treasury of the United States, all that is necessary is to have sufficient influence. That is our record. It is an outrage upon the people of this country. I must say that when I first came to Congress I was amazed at the ease with which the Treasury could be raided.

The only way anyone can conduct business with success is to run the business for blood; to watch over it whether

asleep or awake; to grasp every opportunity. That is the only way to make a success in business; but the Government of the United States will not do that sort of thing and Congress will not insist upon it being done in that way. The consequence is failure after failure, but not because it is inherently necessary, for there are instances in this country of public affairs being run with just the same efficiency and with the same splendid results that private business has achieved. I have been seeking for months to secure the consideration of a bill that might save the Treasury of the United States additional raids—small raids, it may be, small sums—but all I am asking is that the information in reference to these claims shall be collected in a proper manner.

What am I talking about? Efficiency in business, which of course demands consistency. You can not run a business one week with efficiency and then let it go for the next few weeks. It has to be prosecuted day after day, week after week. You can not sleep; and yet we have heard expressions here in this Chamber, we have heard expressions in Congress, we have heard expressions from the executive officers to the effect that we should get Government out of business. But what methods have been attempted to get Government out of business? Scuttle; pay no attention to the losses; just get out—that is, all—and yet when 16 financiers in New York City came here and said to Congress, "We have a canal on our hands that is losing money every day and we want to get rid of it," they were able to prevail upon Congress to go into the business of running a canal to relieve them.

Mr. President, I am referring to the notorious Cape Cod Canal bill. We have heard much of it on the floor, but it ought not to be forgotten. The people of this country ought not to forget it. The testimony before the committee was to the effect—and the testimony was given by the Chief of Engineers of the United States, here in Washington—that that canal as a commercial enterprise would pay 6 per cent on \$1,800,000. That was the testimony; but President Coolidge recommended to Congress that we buy it for eleven and a half million dollars.

Do you know of any reason why the people of the United States should pay any more for a canal or any other piece of property than anyone else should pay it? The owners of that canal could not sell it for \$1,800,000, but Congress bought it for \$11,500,000. Why? Because they had the influence and they had the power to put it over.

There were 16 banking concerns in New York City that were interested in that concern, and the Rothschilds, of London; and they got theirs, too. They had built this enterprise purely as a commercial enterprise. They had expected to make money out of it; and if it had paid 10 per cent upon the cost, and the Government had attempted to take it, the cry would have gone up, "Here is another attempt to impose socialism on the people of the United States." But when these millionaires were losing their money and it was found that they were on notes of over five and a half million dollars in one of their trust companies in New York, and if they did not sell this canal to the United States they would have to pay those notes, they came down here and put this thing over. I do not know how true it was, but a Senator of the United States who has been here in the Senate for a long time, and is not here now, told me that he had learned or heard, and it was after the deal was put over, that the lobbyists got two millions out of that \$11,500,000.

That is what has been going on; and the story is not ended. It has just begun; and at a later date I expect to stand on the floor of the Senate and tell the Senate what is the trouble with the Alaska Railway and their methods, and the methods of the Interior Department in conducting that business.

Mr. President, there is no reason on earth why there should not be efficiency in public affairs. When there is not efficiency it is because there is not the will to impose or to insist upon efficiency, because efficiency in public affairs is profitable just the same as in private affairs. All that is necessary is the will; but when public officials will not enforce the law, when public officials will overlook the pri-

mordial principle of successful business and impose other methods, and when such officials will not reverse their position when they find what it means, we shall have just such results as are going on; and it is certainly a pity that such is the case, because it destroys opportunities that this Government might embrace for the welfare of our people that are so great that to relate them would hardly be believed.

The possibilities of cooperation are so great, even among two or three persons—the possibilities of cooperation are so great when you increase the number—and when the number reaches the population of the United States, with all its resources, the possibilities of cooperation for the benefit of all the people are so great that they are almost immeasurable.

The distinguished Senator from Utah knows what cooperation means. All that is necessary is to have the will to carry out such cooperation; and yet down at Muscle Shoals we see a case where we have not the will even to try to make that enterprise a benefit and an example of tremendous influence in this country. For 10 years we have been trying to accomplish that, and the people's money has been spent; and now I understand some people want to talk about Government operation of Muscle Shoals without the authority to build our transmission lines from Muscle Shoals. We might as well talk about starting an insurance company and then have a provision in the by-laws that the insurance company shall not be allowed to expend any money whatever or solicit business in any way. How much business do you think insurance companies would do in such a case?

All I have been trying to do here for months is to get consideration by the Senate of a bill to provide efficiency in the settlement of claims, and I can not get a hearing before the Senate. We must muddle along. I have not wanted to talk out of my time. I have not wanted to make remarks that were not addressed to the subject before the Senate, but there seems to be no other way. It seems impossible to get a hearing on any other subject; and if that is the case, I am perfectly willing to cease my past tactics of trying to confine myself to the subject that is before the Senate. If it is necessary to come before the Senate and take up the time, when it is considering other measures, to call its attention to business that ought to receive its attention, all well and good; I shall not hesitate to do so.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Kendrick	Shipstead
Barkley	Frazier	King	Shortridge
Black	George	La Follette	Simmons
Blaine	Gillett	McGill	Smith
Blease	Glass	McKellar	Smoot
Borah	Glenn	McMaster	Stelwer
Bratton	Goff	McNary	Stevens
Brock	Goldsborough	Morrison	Swanson
Brookhart	Gould	Moses	Thomas, Idaho
Broussard	Hale	Norbeck	Thomas, Okla.
Bulkley	Harris	Norris	Townsend
Capper	Harrison	Nye	Trammell
Caraway	Hastings	Oddie	Tydings
Carey	Hatfield	Patterson	Vandenberg
Connally	Hawes	Phipps	Wagner
Copeland	Hayden	Pittman	Walsh, Mass.
Couzens	Hebert	Ransdell	Walsh, Mont.
Cutting	Heflin	Reed	Watson
Dale	Howell	Robinson, Ark.	Wheeler
Davis	Johnson	Robinson, Ind.	Williamson
Dill	Jones	Schall	
Fess	Kean	Sheppard	

Mr. MOSES. I wish to announce the absence of my colleague the junior Senator from New Hampshire [Mr. KEYES] on account of a death in his family, and will ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-six Senators having answered to their names, a quorum is present.

Mr. HOWELL. Mr. President, continuing the discussion of the tort bill, I call attention to the fact that Congress has recognized the general liability of the Government within maximum amounts for the negligence of officers and employees of the United States, but the machinery for determining that liability is defective and results in overburdening the Claims Committees of Congress and Congress itself with the consideration of tort liability claims. This

proposed legislation is designed to relieve the situation by utilizing the machinery of the Accounting Office and judicial branches of the Government in the assistance of Congress.

The claims departments of the great casualty insurance companies have their representatives in every part of the United States. They not merely have agents who gather the evidence but they make provision for physicians and surgeons to represent them, and they make provision under conditions which render the cost a minimum.

Machinery similar to the very expensive machinery developed by the great casualty companies has been largely developed by the United States Compensation Commission located here in Washington. They know to whom they can send in every part of the country for evidence of a particular character, and they have representatives of the Government in the various localities who can collect evidence. Therefore in a measure the Government is equipped to-day to handle compensation claims in tort cases about as efficiently as an insurance company can handle similar claims.

The Compensation Commission does handle personal injury and death claims in the cases of employees of the Government, and it is because they do that that they have that machinery; and why should not Congress be the beneficiary of that machinery in connection with the settlement of tort claims? There is no reason whatever why they should not be.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. HOWELL. I yield.

Mr. ROBINSON of Arkansas. What additional force probably would be required in the comptroller's office to handle the business contemplated by this bill?

Mr. HOWELL. Mr. President, there would not be any particular increase in the force.

Mr. ROBINSON of Arkansas. Did the committee go into that?

Mr. HOWELL. The comptroller has not made a statement with reference to that, but that was my understanding. I have been interested in this bill for some time, and I have tried to inform myself respecting what the result of its operation would be. The General Accounting Office has a force at hand to settle contract claims.

Mr. ROBINSON of Arkansas. Does the Senator think that no additional employees or officers would be required?

Mr. HOWELL. I do not think any additional officers would be required. I think the present force can perform these services, because the number of claims is not enormous. As I stated this morning, we have about 1,100 bills before the Committee on Claims at this time. The maximum I have known in any year has been about 1,300 bills. Of course, not all those bills are bills of the character contemplated by this bill—probably not more than a third of them—and the various departments of the Government which will handle such claims can easily add this amount of work without increasing their forces, in my opinion. That is all this bill proposes—to give Congress the benefit of this kind of service, with practically no cost to the Government.

Mr. President, the act of December 28, 1922, authorized the payment of claims not exceeding \$1,000 for torts caused by the negligence of any officer or employee of the Government acting within the scope of his employment. It has been suggested to me that the Government should not recognize claims of this kind, or should recognize them only in special cases. I do not agree with any such policy. It seems to me that the Government should respond where its employees are the cause of damage to property or injury or death of individuals just the same as any private corporation should respond.

The former bill passed by the House provided that contributory negligence should operate to diminish the damages recovered in proportion to the amount of negligence attributable to the claimant, increased the \$1,000 limitation to \$5,000, and forced claimants who had been damaged in

their property to the extent of more than \$5,000 to seek their redress in court. That was the former bill, and that provision has been eliminated, as it was considered unnecessary and inadvisable.

The Congress is surrendering no authority or responsibility by virtue of the proposed legislation, because under Article I, section 9, of the Constitution of the United States no money may be drawn from the Treasury without the consent of Congress; and it matters not whether a claim for \$5,000 or more comes to Congress for appropriation through a court or through the proper officer of the Government, because in either event Congress must either approve or disapprove the conclusion reached and, in its discretion, refuse to approve what has been done in appropriating money to pay a claim or judgment.

A claim on account of tort liability should be, of course, determined on the basis of the facts and the law. It will remain the responsibility of Congress to see that such claims are so determined before appropriating money to pay them. The jurisdiction and power should be, and have been, clearly reserved in the Congress to require such a determination before paying a claim, and this whether the claim is in the form of a settlement or in the form of a judgment.

Mr. President, even claims of a thousand dollars on account of property damage can not be paid without an appropriation, but where appropriations have been made for a department for such purposes the claims can be paid up to a thousand dollars, in the case of property damage, without reference to Congress.

TAXES PAID BY NEW YORK STOCK EXCHANGE AND MEMBERS THEREOF (S. DOC. NO. 235)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to Senate Resolution 366, information showing the amount of taxes paid to the Government by the New York Stock Exchange in connection with exchange transactions for the years 1919 to 1930, which, with the accompanying paper, was ordered to lie on the table and to be printed.

EXECUTIVE SESSION

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Senate, under its order of yesterday, will proceed in executive session to consider the nominations of members of the Federal Power Commission.

Mr. ROBINSON of Arkansas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Kendrick	Shipstead
Barkley	Frazier	King	Shortridge
Black	George	La Follette	Simmons
Blaine	Gillett	McGill	Smith
Blease	Glass	McKellar	Smoot
Borah	Glenn	McMaster	Steiwer
Bratton	Goff	McNary	Stephens
Brock	Goldsborough	Morrison	Swanson
Brookhart	Gould	Moses	Thomas, Idaho
Broussard	Hale	Norbeck	Thomas, Okla.
Bulkley	Harris	Norris	Townsend
Capper	Harrison	Nye	Trammell
Caraway	Hastings	Oddie	Tydings
Carey	Hatfield	Patterson	Vandenberg
Connally	Hawes	Phipps	Wagner
Copeland	Hayden	Pittman	Walsh, Mass.
Couzens	Hebert	Ransdell	Walsh, Mont.
Cutting	Heflin	Reed	Watson
Dale	Howell	Robinson, Ark.	Wheeler
Davis	Johnson	Robinson, Ind.	Williamson
Dill	Jones	Schall	
Fess	Kean	Sheppard	

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States transmitting nominations, which were referred to the appropriate committees.

REPORTS OF NOMINATIONS

Mr. MOSES, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations.

Mr. HALE, from the Committee on Naval Affairs, reported favorably the nomination of Rear Admiral William V. Pratt to be Chief of Naval Operations in the Department of the Navy, with the rank of admiral, for a term of four years from the 17th day of September, 1930, and also sundry other officers in the Navy.

The VICE PRESIDENT. The reports will be placed on the Executive Calendar.

RALPH B. WILLIAMSON

Mr. JONES. Mr. President, I understand that under the order made we are to proceed to the consideration of the nominations for the Federal Power Commission. As I understand it, Mr. Ralph B. Williamson, nominated from my State, is one as to whom there has been no objection at all. I think also there are one or two others to whom there is no objection. I know Mr. Williamson's position and that he has many matters at home which he would like to get looked after and disposed of before he is required to come here. I do not think that those to whom there is no objection should be delayed by reason of objection to others. Under these circumstances, I ask unanimous consent that the nomination of Mr. Williamson may be confirmed. As I understand it, there is no opposition whatever to him.

Mr. ROBINSON of Arkansas. Was the report upon Mr. Williamson unanimous?

Mr. JONES. Yes; it was unanimous.

Mr. NORRIS. Mr. President, it seems to me that request ought to be made with reference to all as to whom there is no objection.

Mr. JONES. The Senator from Wyoming [Mr. KENDRICK] is interested in Mr. Draper. I understand there is no objection whatever to that nomination. I am entirely willing to couple Mr. Draper with my request.

Mr. ROBINSON of Arkansas. No; I suggest that the requests be made separately.

Mr. JONES. I thought that was the proper way. I submit my request with reference to Mr. Williamson.

The VICE PRESIDENT. Is there objection? The Chair hears none. The nomination of Mr. Williamson is confirmed, and the President will be notified.

CLAUDE L. DRAPER

Mr. COUZENS. Mr. President, next in the same category is Mr. Claude L. Draper, of Wyoming, who was reported unanimously by the committee after very extensive hearings.

Mr. ROBINSON of Arkansas. I should like to hear some statement made with reference to the qualifications of the appointee.

✓ Mr. COUZENS. Mr. Draper for many years has been a resident of the State of Wyoming. He is at present serving on the State public utilities commission, if that is the correct title of the commission, charged with the responsibility of regulating the public utilities in the State of Wyoming. He answered all questions and, I think, satisfied the committee of his fitness for the position. He has not been at any time allied with any power industry or in the service of any private power company, nor does he own any stock or securities in any power industry. I think if there is anything further required, the Senator from Wyoming [Mr. KENDRICK] could answer the questions better than I.

Mr. ASHURST. Mr. President, in the inception of the administration of the present incumbent of the White House the Executive adopted an excellent practice of sending to the Senate a list of names of those persons who had recommended his nominees for appointment to various offices.

Mr. ROBINSON of Arkansas. And the documents.

Mr. ASHURST. Yes; and the documents. I wish to ask the senior Senator from Michigan [Mr. COUZENS], the chairman of the Committee on Interstate Commerce, if the President sent to his committee the list of the indorsers of these appointees to the Federal Power Commission?

Mr. COUZENS. He did not.

Mr. ASHURST. Did the committee call for the list?

Mr. COUZENS. No; the committee did not call for the list, but asked the various nominees, as is shown in the testimony, who recommended them. That is set forth in the hearings, a copy of which is on the Senator's desk.

Mr. WATSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Indiana?

Mr. ASHURST. Gladly.

Mr. WATSON. I think the custom to which the Senator from Arizona refers applied only to the Department of Justice. I do not think it applied to any other department.

Mr. ASHURST. I have found so little in the present administration to commend that when I do find something which I can commend I am moved promptly to commend it. I wish to commend the Executive for the action he took in the inception of his administration in sending to the Senate a list of the indorsers of appointees, and I am sorry that this practice apparently has been discontinued.

Mr. COUZENS. I do not think it was followed with reference to appointees to the Interstate Commerce Commission or other similar appointees. It only applied to the Judiciary, so far as I know.

Mr. ROBINSON of Arkansas. Can the Senator state the reason for the distinction, or can the Senator from Indiana [Mr. WATSON] do so? Why was the practice made applicable only to appointees under the Department of Justice, if that is the case? I did not know until this moment that it is the case.

Mr. COUZENS. I do not know the reason for any distinction. All I know is that it is not the practice to send the names of indorsers of appointments on any commission, but it has been followed, so far as the judiciary is concerned, as I understand it.

Mr. ASHURST. So far as the practice went and so far as it operated, I think it was a most excellent practice. It seems to me that with reference to the Federal Power Commissioners the practices should have been observed with meticulous correctness unless the administration, when it sent in the list of indorsers of the so-called Parker nomination, fell into such an egregious blunder that it was thought one unhappy experience was enough.

Mr. COUZENS. I am not out of agreement with the Senator at all.

Mr. ASHURST. I believe it is a poor commentary upon events of the day when a practice which was so universally commended is discontinued without reason. I know of nothing in the Hoover régime that was more widely commended, and justly commended, than the practice of sending to the Senate the names of those who were indorsers of men nominated to high public office.

Mr. BLAINE. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Wisconsin?

Mr. ASHURST. Certainly.

Mr. BLAINE. For the sake of full information and in order that we may have full information on this matter, permit me to suggest to the Senator from Michigan that the practice to which the Senator from Arizona has referred was applied to other departments than the Department of Justice. I recall very distinctly that when the present administration appointed two members to fill vacancies in the office of Commissioners for the District of Columbia, full information was given to the Committee on the District of Columbia, including the names of indorsers.

Mr. KENDRICK. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Wyoming?

Mr. ASHURST. I yield.

Mr. KENDRICK. In connection with the nomination of Mr. Draper I desire to say, for the information of the Senate, that he is a native son of Wyoming. It has been my privilege to know him personally for a period of 30 years. During that time I have neither known nor heard anything detrimental to his record, either as a private citizen or a public official. It is possible that Mr. Draper may not be known nationally, but he is very widely and favorably known west of the Missouri River. He has been engaged in various activities, one of which was ranching, and from this line of endeavor he was called by my present colleague, Mr. CAREY, to serve as a member of our State public utilities commission. This commission performs a dual service, first as a

utilities commission, also its members render service as a board of tax equalization.

Very soon after his appointment Mr. Draper was chosen as chairman of both commissions. It is a significant fact that in such capacity he served through the administration of 4 different governors, 2 of whom were Republicans and 2 of whom were Democrats.

In the performance of these duties Mr. Draper rendered unusual service to the producers of livestock and other agricultural products by securing reduced freight rates in the shipment of their products to market. During all his years of service on the two commissions named I have heard no word of criticism from the people of Wyoming as to his energy, his efficiency, his honesty, or his steadfast devotion to duty.

Mr. ASHURST. Mr. President, if I had ever entertained any intention of opposing the nominee, Mr. Draper, which intention I never harbored, the speech and the assurance of the distinguished Senator from Wyoming would be all sufficient for me. I gladly and promptly accept as reliable all that he has said, because there is in this Chamber no saner mind, as there is no character more highly respected in all the Senate, than that of the senior Senator from Wyoming.

I have said but little about power—hydroelectric energy—although in the northern and northwestern part of my State there are four millions or more of potential horsepower of hydroelectric energy in the Colorado River. I shall not take the time to point out, for such is not now necessary, the value—not only immediately but in the future—to the people and to the Nation of such a vast quantity of potential horsepower. As I look at this matter, in confirming these nominees to a place upon the Federal Power Commission, we are investing them with an authority as important, yea more important, possibly, than that possessed by the Tariff Commission or the Federal Trade Commission; in fact, the position of Federal Power Commissioner is almost as important as a place upon the bench of the Supreme Court of the United States. I am sorry that we do not have more information concerning these appointees. I probably have been introduced to Mr. Draper; I probably have been introduced, in the course of my travels, to some of the nominees. I happen to have known Mr. George Otis Smith for many years. I regret that the Interstate Commerce Committee did not ask the Executive for the list of indorsers.

Mr. CAREY. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the junior Senator from Wyoming?

Mr. ASHURST. I yield to the Senator from Wyoming.

Mr. CAREY. I think, perhaps, it might be enlightening to the Senator from Arizona for me to say that Mr. Draper was a candidate for appointment to the Interstate Commerce Commission. He came to Washington and met the President. The President did not appoint him to the Interstate Commerce Commission, but afterwards, without the solicitation on the part of anyone from Wyoming, the President offered to him an appointment on the Federal Power Commission. I feel this was because Mr. Draper made such a favorable impression upon the President that he offered him this appointment. I do not believe he had any indorsers for the Federal Power Commission, although he had numerous indorsements for the Interstate Commerce Commission.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Kentucky?

Mr. ASHURST. I yield to the Senator from Kentucky.

Mr. BARKLEY. I merely wish to say that Mr. Draper appeared before the committee and was examined at some length touching his past occupation and his familiarity with questions relating to power and public utilities. He impressed me as being one of the most frank and most sincere men who have appeared before our committee for examination as a result of any appointment with which I have recently come in contact. He seemed in no way disposed to conceal anything from the committee; he disclosed

familiarity with the general subject in a way which was enlightening; and he made upon me at least, as a member of the committee, a very favorable impression not only as to his ability but his character and his candor in dealing with the problems with which the commission will be called upon to deal.

Mr. ASHURST. Mr. President, I am sure that I do not take my duty here any more seriously than any other Senator takes his, but I am in doubt if Senators generally appreciate the vast importance and the power that this commission will have.

I shall not weary the Senate with any discussion of the Colorado River, but let us consider for a moment at what has happened. For the past 10 or 15 years applications have been made through the Secretary of the Interior, and subsequently through the Power Commission, for permits and licenses to generate hydroelectric energy on the Colorado River. Some permits have been granted, and at least one permit has been, to use the phrase of the power law, transmuted into a license. Very recently there was issued an order that all applications for permits and all applications for licenses would be canceled willy nilly, in many cases without a hearing. Possibly some of the preliminary permits ought to be canceled, I can not say, and possibly the applicants and licensee ought to have had a hearing.

I merely point that out to show to Senators the vast influence and authority this Power Commission will possess and to indicate that we ought to use extreme care in confirming such nominees. I have no doubt that the Interstate Commerce Committee, under the chairmanship of the senior Senator from Michigan [Mr. COUZENS], has used such care, but it would have been more satisfying, it would have been more enlightening to us, if the Executive had continued the practice which he inaugurated in the early part of his administration of sending to the Senate the names and addresses of those who made the recommendations for the nominations. That is all I care to say.

Mr. WHEELER. Mr. President, I do not rise at this time for the purpose of objecting to Mr. Draper, but I do want to say that I agree with what the Senator from Arizona [Mr. ASHURST] has said with reference to the importance of the Power Commission. As a member of the Interstate Commerce Committee of the Senate, I, with other members of that committee, have given much study and time to the consideration of questions concerning power and the controversy which has been going on in the Power Commission. I think every member of the committee felt that when a new Power Commission was appointed there should be named five men who are outstanding characters in America, men who have given some time and thought to the subject matter with which they would have to deal, namely, power.

During the last campaign, when Mr. Hoover was a candidate for President, our Republican opponents constantly said, "If you elect Mr. Hoover, this great engineer, you can be assured that he will pick out men to administer these different offices who will be outstanding men along their particular lines." I am sure it must have been a disappointment to every member of the Interstate Commerce Committee when they read the five names that he sent in for the Power Commission. The truth about it is, I must say, that there is not an outstanding character in the whole five.

Here is Mr. Draper, who is not an outstanding character. While I admire my friend from Wyoming and while I have no doubt that Mr. Draper has been a mediocre member of the public utilities commission of that State, comparable, if you please, to men on public-service commissions in other States, I must concede that I never heard of him, living as I do in the next State to him, in Montana. Likewise, I do not see how he could have impressed any member of the committee with being an outstanding character; nor did any of the other members of the commission impress the committee, or impress many of the members of the committee, with being outstanding characters.

It was said during the campaign, "If you elect Mr. Smith President of the United States, he will pick out only mediocre men"; and now we find the great engineer, President

Hoover, sending in the names of men of most mediocre character to serve upon one of the greatest commissions created by the Congress of the United States. You can go down the list and analyze the record of each and every one of these men, and you will find that that is the case.

The first man, the chairman of the commission, George Otis Smith, has not had any particular experience for the position to which he is appointed. It is true that he probably knows more about water power than most of the men who were appointed upon the commission; but when he was asked as to his views upon certain questions it seemed to me that his answers were most evasive, and he was unwilling to commit himself upon any question that was asked him by the committee. The only thing we could find that he did was to write six open letters and send them to the governor or some other public servant in the State of Maine. He wrote six articles opposing the enactment or for the repeal of a law that the people favored and that the Power Trust was against. In other words, in the contest that was being waged in the State of Maine he took the side of the Power Trust as opposed to the people up in that State. That is the only case we could find where he had ever taken a definite stand upon any subject connected with the power situation since it has been before the people of the country.

Then we have Mr. Williamson. Mr. Williamson, if you please, is a lawyer who had been representing some of the irrigation projects in the State of Washington—not an outstanding character at all; not a man who had made any particular study of the power question.

Then we have Mr. Garsaud, from Louisiana, who owed his first appointment on some board down there to the representative of the Power Trust in that State, to the president of the public service commission, which in turn was controlled by the Electric Bond & Share Co.

Mr. Draper, as I said a moment ago, certainly was not an outstanding character, either in the West or in any other place; and I never heard of him until his name came before the committee.

Then we have Mr. McNinch. I am frank to say that when I went before the committee to hear Mr. McNinch testify I was prejudiced against him; but I was impressed with the frankness and the honesty of his statement. While apparently he knows nothing about power, and frankly said so, I was impressed with the fact that he is probably the strongest character of all of the five that have been named upon the commission.

So that is the new Power Commission that we are going to have to deal with this great subject that is so controversial and in which the people of the United States are so much interested!

We asked Mr. Smith whether he would vote to keep Mr. Bonner, the present secretary of the Power Commission. Mr. Smith stated that he would not answer that question; and no one knows to-day whether or not he is going to keep Mr. Bonner as secretary of the commission, or what he is going to do, notwithstanding the fact, let me say, that I think it was almost the unanimous opinion of the Committee on Interstate Commerce, after hearing Bonner testify in some cases, that his mind was so prejudiced in favor of the power interests and against the people of the United States that they felt he should not be retained.

I think it is a sad commentary on the situation that exists when we see the President of the United States so ignoring the wishes of the Congress in wanting to see appointed a commission of outstanding men who would know something about the questions involved, and who would be anxious to see that the public interests were correctly represented.

Mr. KING. Mr. President, I desire to ask the Senator a question. Did the committee to whom these names were referred make any inquiry as to whether either of these individuals would support the rights of the States in such cases as that of New York recently, where the State desired to utilize the power rather than have the Federal Government take over the control of the power which rightfully

belonged to the State? The Senator knows that that is a most important question.

Mr. WHEELER. That question, as I recall, was asked Mr. Smith by the Senator from New York [Mr. WAGNER]. I do not see the Senator from New York here. Mr. Smith first said, as I recall his testimony—and I am compelled to state it from my recollection, because I have not read the report, and can not read it at the present time—as I recall, he said that where there was a conflict as between a private concern applying for a permit on the one hand and a municipality upon the other, he would put the burden of proof upon the municipality as against the private corporation; and it was only after we called his attention to the law, and called his attention to the fact that in our opinion the law gave preference to the municipalities, that he finally said, well, if that was in the law, or in substance, he would follow the law; and I cite that as an example of the bent of the man's mind. His whole bent seemed to me to be on the side of private corporations running a power project, and the great corporations of the country running it, rather than some municipality, if the municipality saw fit. My recollection of his testimony—and I may be wrong about that—my recollection of his answer to Senator WAGNER is that it was extremely vague and indefinite. But, as I say, I think the Senator from Washington [Mr. DILL] will call the attention of the Senate to that. I have not been able to read it on account of the condition of my eyes at the present time.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. WHEELER. I shall be glad to yield.

Mr. McKELLAR. I notice on page 138 of the hearings a letter from a man by the name of John Bowman, who uses this language in reference to Mr. Draper:

The question as to whether Mr. Draper is fitted by education, training, experience, and fundamental ability to occupy a \$12,000 position with the Government and to be intrusted with the responsibility which will be placed with this particular commission should be thoroughly gone into by those Senators who have only the ultimate benefit of all of the people at heart.

Mr. WHEELER. That is the first time that letter has ever been called to my attention.

Mr. McKELLAR. The Senator does not know Mr. Bowman?

Mr. WHEELER. I do not.

Mr. McKELLAR. I do not know who Mr. Bowman is, of course. I have no idea.

Mr. WHEELER. Where is he from?

Mr. McKELLAR. I imagine he must be from Wyoming, judging from the date line of the letter. Would the Senator from Wyoming mind telling us about that?

Mr. KENDRICK. Mr. President, I have no recollection of Mr. Bowman, and can not say what might have inspired him in writing the letter.

Mr. McKELLAR. Perhaps the junior Senator from Wyoming can answer the question.

Mr. CAREY. Mr. President—

The VICE PRESIDENT. Does the Senator from Montana yield to the junior Senator from Wyoming?

Mr. WHEELER. I yield.

Mr. CAREY. I am a native of Cheyenne. I have lived in Wyoming all my life, and I believe I know as many people in Wyoming as anyone. I never have heard of anyone in Cheyenne by the name of John Bowman. I have looked both in the directory and in the telephone book, and I think that letter was written by some one to hurt Mr. Draper, and that "John Bowman" is a fictitious name. That is my opinion about that letter.

Mr. McKELLAR. Then the Senator is of the opinion that Mr. Draper is fitted by education, training, experience, and fundamental ability for this job?

Mr. CAREY. I will say to the Senator that I, as Governor of Wyoming, brought about the creation of a State board of utilities, and also a State board of equalization. The legislature would not create two separate boards, but made the same men members of both boards. I appointed Mr. Draper to both those boards, and he was elected chairman.

The Senator from Montana spoke a minute ago about Mr. Draper not being an outstanding man. I should like to say that since the creation of these boards for the first time we have had regulation of railroads and utilities in Wyoming, and also we have had equalization of taxes.

As the senior Senator from Wyoming, my colleague, has stated, Mr. Draper has served under four governors—two Republican and two Democratic governors. He has made a very fine record. The reason, perhaps, why he has not done more is because the Legislature of Wyoming has not supplied the boards of which Mr. Draper was a member with sufficient funds to make investigations and to carry out the purposes for which they were created.

Mr. BROOKHART. Mr. President, one matter that I think the Senate should know about a little more accurately has been mentioned here by the Senator from Arizona. It was in reference to these major and minor permits.

My attention was called to the opinion of the Attorney General in reference to New River. It was Mr. Judson King, I believe, who called my attention to that situation. He told me there was a different opinion from the attorneys of the Power Commission. I then sent for and got those two opinions; and I found that the Attorney General had based his opinion upon the assumption sent to him by Mr. Bonner, the secretary of the commission, that New River was non-navigable. No facts of any kind were laid before the Attorney General, just the plain statement that it was a non-navigable stream. The Attorney General's opinion was rendered upon that assumption; and he therefore decided that the Power Commission might, in its discretion, grant what is called a minor permit, and in this minor permit all but one of the conditions of the water power act may be waived. It is still in the discretion of the commission to waive all of them but one, the 50-year limit. The capitalization, the amortization, the recapture by the Congress, all of those important things might be waived.

Then I found that Mr. Bonner was making arrangements to get such a minor permit issued for this New River proposition. It was reported to me that there was a possible 80,000-horsepower development there. Since then others have claimed that it was less, down even to 9,000; but even 9,000 is a large horsepower. The water power act defines 100 horsepower as a minor proposition in a navigable stream and then allows these minor permits for a bigger horsepower on nonnavigable streams.

When I found out this situation I called the Secretary of Agriculture on the telephone, and he had no information whatever about it, but said he would look into it; and in a day or so I saw his announcement that he did not agree with the opinion of the Attorney General. I called the Secretary of War, but was only able to get the assistant in his office, the Secretary being away at the time. Then I wrote letters to all three of the Secretaries—Interior, War, and Agriculture—and set out these facts, and told them that on the full facts of the case New River was a navigable stream; that Congress had eighteen times appropriated money to improve its navigability; that the Secretary of War five or six times had granted permission for bridges across it under acts of Congress because it was a navigable stream; that there would be a lake constructed with a dam 33 miles long, deep, navigable by almost any kind of a boat; and under that series of facts there would be no doubt as to its navigability. But I further made the claim that even if it were nonnavigable it was still in the discretion of the commission to issue this minor permit, and I thought where it was a power of such magnitude as this they ought not to waive the conditions, even on a nonnavigable stream, in the exercise of their discretion.

I received a reply from the Secretary of the Interior, and later I noticed that the matter had been deferred for the consideration of the new commission. Then I further learned that the Alabama Power Co. had made application to cancel its old permit and take out new permits under these minor provisions, waiving all of the substantial provisions of the water power act. Since that, I think they have

brought a suit, and it is now pending, to reform their permit by decree of court, or something of that kind.

I found later that about three-fourths of all the permits issued up to date could be canceled if that rule were to be followed, and new permits, waiving all of these conditions of the water power act, granted in their stead. So to me it looks like an important proposition; and upon further consideration it seems to me that the Congress itself ought to take a hand and prohibit the issuing of those minor permits under any such conditions.

The VICE PRESIDENT. The question is on the confirmation of the nomination of Mr. Draper. [Putting the question.] The ayes have it. The nomination is confirmed, and the President will be notified.

The Senate resumed legislative session.

RELIEF OF DROUGHT-STRICKEN AREAS

Mr. McNARY. Mr. President, agreeable to the understanding had yesterday afternoon that the executive business would give way to legislative matters, provided the House messaged to the Senate the so-called farm drought relief bill, I ask that the Senate now return to legislative business.

The VICE PRESIDENT. Under the agreement, without objection, the Senate will resume legislative business, and the Chair lays before the Senate the following conference report.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with the following amendments:

On page 1, line 9 of said amendment, strike out the word "of" and insert the words "incident to."

On page 2, line 11 of said amendment, strike out the numerals "\$30,000,000" and insert in lieu thereof "\$45,000,000."

And the House agree to the same.

CHAS. L. McNARY,
GEO. W. NORRIS,
E. D. SMITH,

Managers on the part of the Senate.

G. W. HAUGEN,
FRED S. PURNELL,
J. B. ASWELL,

Managers on the part of the House.

Mr. McNARY. Mr. President, I ask unanimous consent for the present consideration of the conference report.

There being no objection, the Senate proceeded to consider the report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. McNARY. Mr. President, the afternoon is crowded with important work, and I think I can in a very short time explain the conference report agreed to last evening.

When Senate Joint Resolution 211 was sent to the House after its passage by the Senate, it was referred to the House Committee on Agriculture. That committee struck out all after the enacting clause and inserted the precise language which was found in the Senate joint resolution, except that it reduced the amount of the authorization from \$60,000,000 to \$30,000,000; it struck out the word "livestock" and inserted the words "work stock"; and it struck out the commodity food. Otherwise, I repeat, it was the identical measure passed the Senate.

The joint resolution as amended passed the House of Representatives yesterday. On the floor there was included one

further amendment, which made the money available for summer-fallowing during the year 1931.

A conference was had last evening between the Senate and the House conferees, and the following agreement was reached:

The Senate conferees agreed to the House elimination of food. The Senate conferees agreed to the House change of "livestock" to "workstock." The House conferees agreed to the Senate proposal that the language should be amended so that it would leave possible for and give latitude to the Secretary of Agriculture to purchase food for destitute homes and families in time of great emergency.

Mr. CARAWAY. Mr. President, I do not like to interrupt the Senator, but I want to ask him about that very language. The language substituted reads in this way—

Mr. McNARY. I was just reaching that point in my discussion.

Mr. CARAWAY. Very well. Perhaps the Senator will answer the question I want to ask, because I wish information about the form of the language. But I will inquire later.

Mr. McNARY. The language in the House text and in the Senate text provided that the Secretary of Agriculture, in his discretion, could lend or advance money to those living in the drought-stricken regions for the purpose of purchasing food, feed, seed, fertilizer, and oil, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture.

After the elimination of the word "food," and following a considerable debate, it was the unanimous opinion of the conferees that by the elimination of the word "of" and the insertion of the words "incident to," relating to crop production, plenary authority was given to the Secretary of Agriculture to meet destitution in families wherever he found it, and where in his judgment an emergency existed.

Mr. CARAWAY. Mr. President, will the Senator yield there?

Mr. McNARY. I yield.

Mr. CARAWAY. Right there is where I want to ask the Senator a question. I will have to read the language. It says:

The Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken or hail stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of seed or suitable crops—

I presume that ought to be "for suitable crops"—

fertilizer, feed for work stock, and/or fuel and oil for tractors, used for crop production.

That is where his authorization starts. This is where the purchasing power comes in:

And when necessary to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers.

I want to call the attention of the Senator to the fact that I am afraid that will be construed by the Secretary to mean that his power is only to do certain things—that is, to furnish money to buy feed, fertilizer, seed, and fuel and oil—and that he must stop there; that that is all that he can furnish it for. When it comes to his purchasing power, what he shall do to supply it, he may purchase it, and the Senator will observe that other provision, "such other purposes incident to crop production." Do I make myself clear?

Mr. McNARY. Very clear.

Mr. CARAWAY. I am afraid he will construe it to mean that the whole grant of power is to buy seed, fertilizer, and fuel and oil, and, incident to exercising that power, he may purchase it and resell it to farmers; but under that, then, there appears the other language, and I am afraid that does not give him the power to buy food.

Mr. McNARY. Mr. President, the able Senator from Arkansas has made himself very clear, but as a good lawyer he knows that all remedial legislation is liberal. I have no doubt that if the Secretary of Agriculture meets the spirit of this measure and attempts to administer it according to

the purpose of Congress he will find ample authority for purchasing food whenever, in his opinion, real need therefor exists.

Mr. CARAWAY. I think all of us realize that the Secretary of Agriculture is not in sympathy with that provision of the measure.

Mr. McNARY. That may be true.

Mr. CARAWAY. I do not want the Senator to pass over that, because I want to be certain that he feels satisfied. In the grant of power there is mention of only certain specific things, and it has always been held in construing a law that the inclusion of certain items indicates the intention of the legislature to exclude items not mentioned.

Mr. McNARY. That is a correct statement of the rule of statutory construction; but the Senator must remember that in the specification of the purposes for which the appropriation is made there is a general statement, "for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture."

Mr. President, we often find ourselves differing as to language which might be employed. There was very great objection on the part of the House conferees to the use of the word "food." There was a feeling among the conferees, and particularly strong with the Senate conferees, that in cases of extreme necessity there should be some warrant of authority and power conveyed to the Secretary of Agriculture to use this money. That was the interpretation of the six members of the conference. It is my feeling now that if the Secretary of Agriculture desires to use this money for such a humane purpose there will be warrant of law for it. What he will do I do not know. I can say to my esteemed friend from Arkansas that if the Secretary of Agriculture is unfriendly to the administration of the law, if we had included the word "food," it would be always in his discretion to say whether he would use it for that purpose or not.

I assume that the Secretary will administer this law in the spirit in which it was intended by the Congress, and certainly the legislation is enacted solely to relieve distress in the unfortunate sections of the country.

The only other point in controversy was as to the amount of money which might be authorized. The Senate joint resolution authorized \$60,000,000, the House joint resolution \$30,000,000. There was the same conflict of judgment, the Senate conferees holding fast to the larger sum, \$60,000,000, and the House conferees urging that they had gone \$5,000,000 above the estimate of the Director of the Budget.

Finally it was suggested, and after considerable debate it was agreed, that the two figures might well be added together and divided by two, and the mathematical result was \$45,000,000.

So far as the evidence before us is concerned, that may appear sufficient or insufficient, but it seemed, in view of the necessity of getting immediate action, since there is a rule in the House that the report must lie over a day, if we were to make this measure of relief applicable before the holidays to meet the pressing situation, there must be a composure of differences. Therefore, in order to make this money available, even though the amount was not as great as some hoped, and was too large in the opinion of others, we agreed on \$45,000,000 as the amount of money which might be authorized. The Senate also included in the joint resolution and in the report the items placed in on the floor of the House, which included advances of money for summer-fallowing in the year 1931, which is so much desired in those States where reclamation is practiced.

Mr. President, with that statement I hope I have made clear the differences between the two Houses, and the reasons which brought them to compose their differences.

Mr. ROBINSON of Arkansas. Mr. President, the conference agreement represents a compromise of the two important issues between the two Houses. First, with respect to the amount of the appropriation authorized, the Senate joint resolution, as we all remember, carried \$60,000,000. The House joint resolution reduced the amount to \$30,000,000. The conference agreement seeks to effect a compromise by the very simple process of dividing the difference. The conference compromise amount is \$45,000,000.

It has seemed to me, from the evidence presented to the Committee on Agriculture and Forestry, including the surveys which were made by the committees set up by the President of the United States to acquire the information, that \$60,000,000 represented the necessary sum, but it is apparent to all of us that within the next two months the administration of this law will disclose whether there is necessity for an additional sum. If that necessity arises or appears, the opportunity will be afforded to Congress to increase the amount. I acquiesce in the arrangement entered into by the committee because it represents a compromise of the differences between the two Houses.

Now with respect to the second difference which is settled by the conference agreement, namely, the purposes for which advances or loans contemplated by the measure may be made, it will be remembered that the Senate joint resolution, in addition to authorizing advances for the purchase of seed, feed, fertilizer, and fuel oil, also specifically authorized advances or loans for food. I have no doubt now that that express provision is a logical provision and that the criticisms which have been made of it are not well established. In many parts of the drought area there exist persons who in good faith would desire to avail themselves of the provisions of this act who do not apply to the Red Cross for relief, who are willing to reimburse the Government for the advances it may make in the present emergency. I have challenged from time to time anyone here, and do so now, to state a reason founded in conscience or good argument why the Government should obligate itself to provide feed for the work stock, but should be so hesitant in making loans or advances to enable the farmer himself to secure food. There is simply no reason for the distinction except that some have the fear that it would open up the way for large relief appropriations.

To those who think that this may be regarded as an act of charity, let me point out the fact that there is nothing in the record or in the experience of the Government acquired in similar situations to justify such a conclusion. These are loans or advances made, it is true, upon security which might not be regarded as adequate by commercial loan companies, made under emergent conditions. But experience has shown that such loans or advances are for the most part repaid and in this case will be repaid unless there should occur some repetition of the conditions which have made the legislation necessary, in which event it would be impossible to repay a considerable part of the advances.

The conference committee have worked out a solution of this difference relating to the purposes for which the advances may be made which in my judgment devolves upon the Secretary of Agriculture the very great responsibility of exercising his discretion as to when the funds provided in the measure may be used for other purposes than the purchase of seed, feed, fertilizer, and fuel oil. My interpretation of the conference agreement is that there is in the measure no restraint or limitation whatever on the power of the Secretary of Agriculture. He is not only specifically empowered to make advances for seed, feed, fertilizer, and fuel oil, but he is given also power to make advances "for such other purposes incident to crop production as may be prescribed" by him. The language in my understanding of it is very, very broad.

That brings me to the concluding point which I wish to discuss in connection with the conference report. The manner of the application or administration of the law should determine its value. Indeed, that is true without regard to the particular controversies which the conference report seeks to resolve. The power vested in the Secretary of Agriculture in the original joint resolution, both the Senate joint resolution and the House joint resolution, was very comprehensive. It sought to invoke his discretion in determining when advances or loans may be made. I have not the slightest doubt that the power exists to make advances for any purpose incident to crop production which the Secretary of Agriculture may decide to recognize. If I am incorrect in that interpretation I should like now to have members of the conference committee on the part of the

Senate make any suggestion they may care to make concerning the accuracy of the interpretation.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Arkansas yield to his colleague?

Mr. ROBINSON of Arkansas. I am glad to do so.

Mr. CARAWAY. I am going to presume that it is a typographical error; but in the third line from the bottom of the first page of the conference report I find this language:

For the purchase of seed or suitable crops.

Mr. ROBINSON of Arkansas. The language of the copy I have is "of suitable crops."

Mr. CARAWAY. It is "or" in my copy. It ought to be "of" or "for."

Mr. ROBINSON of Arkansas. I think the fair interpretation of that language is that the Secretary of Agriculture can make advances or loans under the provisions of this bill for the purchase of "seed for suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors used for crop production," and he may also make advances or loans "for such other purposes incident to crop production" as he may prescribe.

Mr. SMITH. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. ROBINSON of Arkansas. I yield.

Mr. SMITH. Perhaps the greater portion of the time taken up by the conferees was on this very point as to whether or not we should allow those in the drought-stricken regions to receive food if, in the opinion of the Secretary of Agriculture, the distress was sufficient to warrant. Every member of the conference agreed that this language gives him that power and that upon being questioned in their respective bodies they would frankly admit that they intended by this language to give him that power if, in his discretion, he thought it was needed. I think it is important for us to have that clearly understood in the Record so that if any question should arise as to the interpretation of this language and whether or not he had that power, the intent of both Houses may be clearly understood.

Mr. GEORGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON of Arkansas. I yield.

Mr. GEORGE. Let me invite the Senator's attention that the language in which he finds, as he thinks, the authority to buy foodstuffs is a mere direction to the Secretary of Agriculture and not mandatory upon him at all.

Mr. ROBINSON of Arkansas. None of it is mandatory.

Mr. GEORGE. Oh, it is where he finds an emergency to exist. The directory portion of the measure I think would not carry the authority.

Mr. ROBINSON of Arkansas. In every proper sense I think the whole measure is a directory authority. I do not think one could bring a mandamus proceeding or other proceeding in court to compel the Secretary of Agriculture to make a loan or advance under this statute because in my interpretation of the language it is at last a matter of discretion. That has direct relationship to the subject I was proceeding to discuss, namely, the manner or spirit of the administration.

Mr. BARKLEY. Mr. President—

Mr. ROBINSON of Arkansas. I yield to the Senator from Kentucky.

Mr. BARKLEY. Will the Senator point out to me what language in the conference report confers by implication power or authority in the Secretary of Agriculture to buy food?

Mr. ROBINSON of Arkansas. I have done that, but I will do it again.

Mr. BARKLEY. I am not certain I understood the Senator's statement.

Mr. ROBINSON of Arkansas. There is no language in the measure that expressly confers power to buy food. That was the subject matter in controversy and was worked out

in this way. The provision to authorize the purchase of seed, fertilizer, feed for work stock, and fuel oil was retained, and there was also embraced authority to make advances or loans "for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture." That unquestionably gives the Secretary of Agriculture the power to make advances or loans for any purpose that he believes incident to crop production, and that would include food and it would include clothing. It is broader than the term "food." I have not the slightest doubt that the language in the conference report, the language which will be enacted if the conference report is agreed to, is broader in that respect than the language in the original Senate joint resolution, because "such other purposes incident to crop production," while indefinite and not specifying any particular purpose, does vest discretion in the Secretary to make advances for any purpose that is proper.

Mr. BARKLEY. The language to which the Senator refers is a part of the clause which apparently gives the Secretary of Agriculture the power "when necessary to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by him and sell the same to such farmers." That language begins at the bottom of the page, after stating the general object, and says "and when necessary to procure such seed." That is, when necessary for him to do it he shall "procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers." It seems to me that clause simply empowers the Secretary of Agriculture, wherever he finds it necessary, to procure this seed, and so forth, and sell it to the farmers. But later on it is provided that he shall, as a part of these regulations as to which he uses discretion, include "an agreement by each farmer to use the seed, fertilizer, feed for work stock, fuel, and oil thus obtained by him for crop production," for the purpose for which it was intended; so that under that language, if a farmer obtained a loan of any amount of money, in the agreement which the Secretary of Agriculture might describe he must agree to buy seed, fertilizer, fuel, and so forth, without supplying food, and I do not see how the farmer could use that money to buy a pound of food for his own consumption.

Mr. ROBINSON of Arkansas. I agree that the Secretary of Agriculture has unlimited discretion. I contend—it is perfectly clear to my own mind, although I may be unable to make it apparent to others—that the meaning of this provision is, first, that the Secretary of Agriculture may, in his discretion, make advances or loans for the purpose of purchasing seed, feed, fertilizer, and fuel and oil, and then for such other purposes incident to crop production as he may prescribe. My suggestion is that the power is almost unlimited, and upon its proper exercise depends the value of the act. I now yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, the Senator from Arkansas has already stated his position, and perhaps I should make a statement in my own time; but as I read this language, it seems to me that the Secretary is empowered to do two different things: First, he may either make advances or loans to farmers "for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors used for crop production." That is one thing he can do. He can make advances to farmers or loans to them for those purposes.

When he finds it necessary, the second thing he can do is "to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers."

Mr. ROBINSON of Arkansas. That is not my interpretation of it.

Mr. WALSH of Montana. Mr. President—

Mr. ROBINSON of Arkansas. I yield to the Senator from Montana.

Mr. WALSH of Montana. I wish some one would explain to us how the Secretary of Agriculture is going to sell "purposes" to the farmer. The language is, "and sell the same to such farmers." The word "same" refers to the things that he is going to get; and one of the things is "such other purposes" as the Secretary of Agriculture may prescribe.

Mr. LA FOLLETTE. Mr. President—

Mr. ROBINSON of Arkansas. If I may be permitted, in my own time, to state my own view, I will say that I think the phrase "and for such other purposes" relates back to advances and loans; but, if I am wrong about that, I want to be corrected now by some Senator who has given special study to the subject.

Mr. WALSH of Montana. I am quite sure that the Senator is correct that the phrase was intended so to relate back, but it is connected up with the things which the Secretary of Agriculture is to buy and sell.

Mr. LA FOLLETTE. That is the point I was trying to make.

Mr. WALSH of Montana. The language is entirely inappropriate in conjunction with purchase and sale with which it is connected. It is quite appropriate, however, to the making of advances and should be transposed so as to have reference to advances and loans.

Mr. ROBINSON of Arkansas. That is why I say that the correct interpretation is that it is an additional power granted to the Secretary of Agriculture.

Mr. McNARY. Mr. President, will the Senator from Arkansas yield at that point?

Mr. ROBINSON of Arkansas. Yes; I yield.

Mr. McNARY. When the House and Senate conferees had their meeting they found that this language about which some are complaining was in both the House and Senate measures. We had no power to change it. We attempted to liberalize it and to bring that about, as I said a moment ago, by conferring very large power on the Secretary of Agriculture to do anything incident to crop production. Technically—

Mr. BORAH rose.

Mr. McNARY. Just a moment, Mr. President. No technical lawyer is going to administer this bill when it becomes the law.

Mr. BARKLEY. How does the Senator know that?

Mr. McNARY. Its intent and purpose are shown. The conferees who brought about this agreement were limited by reason of the language which they could not change, but they attempted to show a clear intention to grant to the Secretary all authority needed even for the purchasing of food in cases of destitution.

Some may take a different view, but, in my opinion, that looking at it from the intent of the conferees is the proper construction of what Congress is trying to do, namely, to relieve suffering. Looking at it from that broad and charitable standpoint is one thing; picking it to pieces technically is another.

Mr. LA FOLLETTE. Mr. President, will the Senator from Arkansas yield to me?

Mr. ROBINSON of Arkansas. The Senator from Idaho [Mr. BORAH] first asked to interrupt me.

Mr. BORAH. I think I shall discuss the matter in my own time.

Mr. ROBINSON of Arkansas. Then I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I merely wish to ask the Senator from Oregon a question. He stated, as I understood him, that the phrase "for such other purposes incident to crop production" was in both the Senate and House measures?

Mr. McNARY. Yes.

Mr. LA FOLLETTE. Would the Senator point that language out in the Senate joint resolution? I have not been able to find it.

Mr. McNARY. It is found in Senate Joint Resolution 211, on lines 9 and 10, page 1.

Mr. ROBINSON of Arkansas. I will now conclude, if I may, what I have to say on the subject.

I do not find a basis for the difficulty that has been suggested by various Senators. I think this language is fairly apt to express the purpose that it was intended to express, and I think it is only necessary to read the language to reach that conclusion, although it is not perhaps expressed in the most accurate and indisputable manner.

Eliminating the portions irrelevant to the subject under discussion, what is the power given to the Secretary of Agriculture in this section? It is to make advances or loans to farmers in the drought or storm stricken areas.

When is he permitted to make such advances? When he shall find that an emergency for such advances exists.

What is he permitted to do when he finds that emergency to exist? He may make advances—

For the purchase of seed of suitable crops, fertilizer, feed for work stock and/or fuel and oil for tractors used for crop production.

Manifestly the clause that I omitted to read, namely, "and when necessary to procure such seed, fertilizer, feed, and fuel and oil," is in the nature of a parenthetical clause. I have not the slightest doubt, I repeat, that the phrase "and for such other purposes incident to crop production" relates back to the power to make advances, and I do not believe any court in the land would give a different interpretation to it, although I admit that more apt language could have been employed.

Mr. McKELLAR and Mr. WALSH of Montana addressed the Chair.

The VICE PRESIDENT. Does the Senator from Arkansas yield; and if so, to whom?

Mr. ROBINSON of Arkansas. I yield first to the Senator from Tennessee.

Mr. McKELLAR. I think the Senator would be absolutely right in his interpretation if there was not any language after the words "such farmers"; but, if the Senator will look at the provision, he will see that after the broad language to which he has referred, embraced in the words "and for such other purposes incident to crop production"—and unquestionably that would cover what he says it would cover—a sentence follows which reads:

Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed, fertilizer, feed for work stock, fuel and oil thus obtained by him for crop production.

I am not so sure that that does not limit the broad authority in the sentence preceding. I should like to have the Senator's view about that.

Mr. ROBINSON of Arkansas. I do not think so. I think the object of the provision is just what it is stated to be, namely, to make certain that these particular things—seed, feed, fertilizer, and fuel—shall be used for crop production. The phrase "such other purposes incident to crop production" can not be controllable by a clause like that.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Virginia?

Mr. ROBINSON of Arkansas. I yield to the Senator from Virginia.

Mr. GLASS. If I may interrupt the Senator, my understanding is that those words were put in at the very earnest suggestion of the former Governor of Virginia, Mr. Byrd, who was chairman of the body of men brought here for consultation with the Department of Agriculture, in order particularly to take care of the fruit growers of the country, who would have no part whatsoever in this relief without those words being in the bill. I have a telegram on my desk in my office clearly indicating that to be the case.

Mr. ROBINSON of Arkansas. I do not know what conclusion the Senator from Virginia draws from that fact with respect to the general argument I am making.

Mr. GLASS. I do not think they were intended to apply to the food proposition at all; they were intended to apply to such necessary things as enter into the care of orchards and the production of fruit crops, storage and refrigeration, and things of that kind.

Mr. WALSH of Montana. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Montana?

Mr. ROBINSON of Arkansas. I yield.

Mr. WALSH of Montana. Will the Senator suffer a suggestion from me at that point?

Mr. ROBINSON of Arkansas. Certainly.

Mr. WALSH of Montana. The remarks of the Senator from Virginia indicate the very great importance of this particular clause. It seems perfectly obvious to me, as it must to anybody who reads it, that it has been misplaced. Instead of being where it is it should come in after the word "production," at the bottom of the page, so that it would read in this way:

The Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances or loans to farmers in drought and/or storm stricken or hail-stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors used for crop production, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and when necessary to procure such seed, fertilizer, feed, and fuel and oil and sell the same to such farmers.

Then it would make sense.

Mr. ROBINSON of Arkansas. I myself think that the transposition of the language as suggested by the Senator from Montana would tend to make it clearer.

Mr. BORAH. Mr. President, I should like to ask a question.

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Idaho?

Mr. ROBINSON of Arkansas. I yield.

Mr. BORAH. I should like to get the view of some member of the conference committee. Did the conference committee regard food as an incident of crop production? Was that the understanding of the conferees?

Mr. SMITH. Yes, Mr. President. I just said a few moments ago that the words were put in in order to empower the Secretary of Agriculture, if he saw fit, to buy food.

Mr. BORAH. If that is true, why did not the conferees say, "If necessary, in order to provide crops, food," and so forth? Why leave it so indefinite if that was in mind?

Mr. SMITH. Simply because the conferees on the part of the other body said that they could not get by with the word "food," but that if we could substitute something by which they could get by they would do so. That is all there is to it. [Laughter.]

Mr. HEFLIN. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Alabama?

Mr. ROBINSON of Arkansas. I yield.

Mr. HEFLIN. Does not that indicate, then, that they did not intend to purchase food. If they could not "get by" with the word "food" in the measure, it seems that food is not going to be bought.

Mr. CARAWAY. Mr. President—

Mr. ROBINSON of Arkansas. I yield to my colleague.

Mr. CARAWAY. I think that the Senator from Montana [Mr. WALSH] has made the suggestion I was about to make. However, I want to impress the thought upon my colleague, if I may, because we are dealing with the lives of starving people, that if any man who is hungry pins his faith to the idea that he will get food under the provisions of the joint resolution at this time he is doomed to disappointment.

What I want to say to my colleague is that when the grant of power ends with the comma, and the means by which the Secretary may use it and how he may exercise it commences with "when" at the bottom of the first page, one is a grant and the other is merely a matter of exercising the power granted. "Other essential things, such as food," if it means anything at all—which I do not think it does as it stands—relates to the manner in which he may exercise the power, whether he shall buy the material or borrow it, whether he shall deliver it or have the people come and get it. It is the manner in which he shall exercise the power which is granted above that. There can not be any doubt about that.

Mr. GEORGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON of Arkansas. Yes.

Mr. GEORGE. I thank the Senator for yielding. I merely wanted to make clear what I stated during the previous interruption.

I think—at least, it seems very clear to me—that the language to which the Senate has referred is directory to the Secretary of Agriculture. It is one of the means which he may employ; and let me call the Senator's attention to this fact:

The Senator from South Carolina and myself had very much to do with framing—in fact, he did frame and introduce in this body—the seed fertilizer act applicable to the Southeastern States in 1928, I believe it was, for the crop year 1929. We also, of course, along with other Senators, were interested in similar legislation for 1930 in the Southeastern States. This provision giving the Secretary of Agriculture the power to buy and to sell was originally inserted for this reason: It was feared that when these Government loans were being made the fertilizer people, the people who had seed to sell, might take advantage of the farmer; in other words, might run the prices up. It was therefore provided in the original resolution—and while this resolution does not follow it precisely, it does incorporate the same general theory—that the Secretary of Agriculture, or the agency selected by him to administer the act, should have the power to buy the seed, to buy fertilizer, and to make sales direct himself in order to forestall profiteering, and in order that he might, by buying in large lots, if necessary, procure an advantageous price for the farmer.

The Senator from South Carolina will recollect that; but I want to call the Senator's attention to this fact: While I know that the purpose of the act is to be confined to the fertilizer and seed and other articles necessary for making a crop, there is not any practical way to supervise the expenditure of the money by the farmer unless the Secretary of Agriculture does exercise the directory or optional power given to him here to go out in the open market and buy what he wants the farmer to have, and in turn furnish it to the farmer.

In other words, if a loan of money is made, there is no practical way by which it could be ascertained what the money would be used for. It is true that the farmer promises to use it for these particular purposes, but it is likewise true that there is no provision for the supervision of the farmer; and certainly the farmer would think, if the Congress did not have sense enough to know that he ought not to permit himself to starve while taking good care of his horse.

Mr. CARAWAY. Call it "feed."

Mr. GEORGE. I imagine that it is not a very practical question we are discussing in this respect:

When the Secretary of Agriculture, through the selected agency, estimates the loan to be made or the advance to be made to the individual farmer, he will take into consideration the need of the farmer for feed for his stock and his fertilizer, and so forth, but will not consider the need of food for his family under the language of the conference report. It is important in that respect; but unless the Secretary of Agriculture is going to supervise in ways not indicated in the act and not heretofore practiced by him in the administration of like acts, the one way in which he could absolutely see that the farmer who obtained a loan did not use some of it, if absolutely necessary, to support himself and family, is by going into the market and buying the articles and selling only feed, fertilizer, and seed to the farmer.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. Yes; I yield to my colleague.

Mr. CARAWAY. The only thing about that is that section 2 makes the farmer a criminal if he should borrow it for one purpose and use it for another; and he might be

fined a thousand dollars and he might be put in jail for six months.

Mr. GEORGE. I said, of course, that he was obligated to use it for those purposes.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Kentucky?

Mr. ROBINSON of Arkansas. Yes; I yield to the Senator from Kentucky.

Mr. BARKLEY. The remark of the Senator from South Carolina a moment ago, in which he let the real cat out of the bag—and I think he told the truth about it, that as a matter of pure, stubborn pride, somebody demanded that in order to save his face the conferees strike out the word "food," so long as they put any kind of language in there that would give them the right to do what they would do under the language carried by the word "food"—illustrates in a striking way, in my judgment, who it is that is playing politics on human misery in this country. [Applause in the galleries.]

Mr. ROBINSON of Arkansas. Mr. President, I am going now to conclude what I have to say on this subject.

Mr. GLASS. Mr. President, will the Senator yield to me?

Mr. ROBINSON of Arkansas. Certainly; I yield to the Senator from Virginia.

Mr. GLASS. I want to indicate to the Senator just how the words upon which he has been commenting got into this bill, and what their real purpose is.

I have a wire here from former Governor Byrd, of Virginia, saying:

Very important to include language in relief bill as follows: "For other purposes of crop production."

This was specifically agreed to by Secretary Hyde, and is included in Aswell bill as well as bill passed by Senate. This most important to give relief to fruit and vegetable growers and for other items of crop production, and is thoroughly consistent with the provision enabling loans for seed, feed, fertilizer.

Mr. ROBINSON of Arkansas. Mr. President, I have not the slightest doubt that the language would have application to the circumstances referred to by the Senator from Virginia and that it has even a broader significance than he has in mind.

Applying the ordinary rules of interpretation and availing myself of the information that I have been able to obtain since I took the floor from the discussion of my colleagues, I am confirmed in the conclusion that the legal intent and meaning of the language used here is not open to great controversy and that it will be construed to give the Secretary of Agriculture power not only to make advances for the purchase of seed, feed, fertilizer, and fuel oil, but also for such other purposes as he may believe are incident to crop production, including food and clothing.

I think the language in this compromise agreement is broader in its effect and legal meaning than the language in the Senate joint resolution. I realize, as I have stated two or three times, that a transposition would in all probability remove any doubt as to the meaning; but I do not believe that there is a court in existence that would take the history of this controversy, take the debates that have occurred on this bill, take the language itself, and give it any other meaning than that the Secretary of Agriculture is given plenary authority within his discretion to make advances for such purposes as he believes incident to crop production.

I wish now to take just one moment to say that the value of this agreement depends upon the manner in which it is interpreted and the manner in which it is administered. We all recognize the fact that delay in setting up the machinery, and restrictions which will make difficult the securing of advances or loans by those who in good faith seek them, will disappoint the hopes and break down the morale of the many citizens in distress whom this legislation is intended to relieve.

AID FOR PEOPLE IN ALABAMA AND OTHER DROUGHT-STRICKEN SECTIONS OF THE COUNTRY

Mr. HEFLIN. Mr. President, the Bible tells us that God made man in His own image and that He gave him do-

minion over the earth, the beasts of the field, and all other created things.

We all accept, I believe, the doctrine that the welfare of the citizen was the whole end and aim of constitutional government in America; and yet the House of Representatives, in collusion with some of our distinguished Senators in conference on this drought relief bill, struck out the word "food" for human beings and left in it provision for feed for stock. They put the hog above the human and the mule above the man. [Laughter.]

That is the situation that confronts us in the Senate.

How can anybody understand that the Secretary of Agriculture now has it in his discretion to purchase food for these distressed citizens to use in making a crop since the provision authorizing that to be done has been stricken from the bill by the House?

Mr. President, is the Senate afraid to stand by its position that the Government owes it to the distressed citizen to do as much for him as it does for his hungry horse?

We have already gone on record favoring a loan to the farmer to buy feed for his stock; we have already gone on record in favor of loaning him money to buy fertilizer for the soil and to buy fuel for his farm vehicles; and now some of us are insisting that we give consideration to the millions of human beings, made in God's image, who are hungry and shivering in the cold, and who are hoping that we will at least do as much for them as we are doing for the beasts of the field. Do Senators wish to have their constituents believe that they are willing to supply feed for work stock and at the same time withhold food from human beings who are about to starve?

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. HEFLIN. I yield to the Senator.

Mr. BARKLEY. If this cross-eyed language which has been put in here by the conferees is to be interpreted as they contend—that it was substituted for the word "food" in order to give the Secretary of Agriculture discretion to buy food—if that is the correct interpretation, is it not also broad enough to enable him to buy clothes for those who work in the field, or any other article that might be necessary either to clothe or to feed the human being who is to work the stock after they have been fed on this feed specifically provided for? In other words, in striking out the word "food," if their contention is correct in that they have enlarged the language so as to give the Secretary of Agriculture full discretion as to food, do they not leave the gates wide open for him to buy anything else?

Mr. HEFLIN. It would seem so.

Mr. BARKLEY. Certainly, in objecting to the word "food" it was not the intention of the conferees to broaden the language so as to enable them to buy anything.

Mr. HEFLIN. I think the Senator is correct about that. I think the Senator from Virginia has shown that that language refers to something else—fruit crop, refrigeration, and so forth. That is what they are talking about, and not for providing food for starving men and women.

The House has ruthlessly struck from this drought-relief measure \$15,000,000.

Mr. President, I recall the time when the House of Representatives passed the ship subsidy bill, which provided that the Ship Trust could buy the whole American fleet for \$200,000,000, a fleet which cost this Government \$3,000,000,000, representing a loss to the Government of \$2,800,000,000. I helped to kill that bill in the Senate. Not only that, but the House bill provided that the Ship Trust could borrow money out of the Treasury of the United States at 2 per cent.

They did not hesitate then to put that remarkable provision in for the American Ship Trust. But now they hold out and fight to defeat a proposition of adding \$15,000,000, making the amount \$60,000,000 in all for the relief of millions of unfortunate patriotic Americans in the drought-stricken regions of the United States.

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I commend to the gentlemen at the other end of the Capitol, and to some at this end of it, the fifth chapter of Nehemiah, where it says:

We our sons and daughters are many and we have mortgaged our fields and our vineyards and our homes to buy grain that we may eat and live.

Senators are talking about providing millions to provide feed for stock, but are not willing to give a dollar to buy food for human beings pinched by the pangs of hunger and threatened with starvation.

I for one am in favor of putting a provision in the bill that will instruct the Secretary of Agriculture what to do. We tell him about feed for stock, we tell him about seed to plant, we tell him about fertilizer to put in the ground. Why not tell him pointedly what we want done about food for starving people?

Mr. COPELAND. Mr. President, will the Senator yield to me?

Mr. HEFLIN. I yield to the Senator.

Mr. COPELAND. Does not the Senator hope, as certainly I do, that before very long the administration may come to realize that there are hungry people, not alone upon the farms but also in the great industrial centers? It may well be that other persons besides farmers may need food before this period of depression passes. I assume that very shortly the Congress will consider bills providing for furnishing some measure of relief to all classes, not only farmers but to industrial laborers and other sufferers, and I think that unless Congress does do that we will face a very serious time, a period which might threaten even our social order in the United States.

Mr. HEFLIN. I agree with the Senator that the situation is serious in many places, and I want to say to him that if the time comes when American men, women, and children are starving anywhere and it takes Government aid to save them, I will do the thing necessary to keep them from starving. What do I care about making a precedent if justice requires it and mercy demands it?

We should pride ourselves on setting the right kind of a precedent. One writer has said that many precedents are simply errors grown old. We frequently hear it said, "You have no precedent for this and that." It is our business to meet these issues as they come, and be just and fair in our dealings with them. If human beings in the United States, through no fault of their own, through the terrible economic conditions and distress which we can not prevent, are suffering; are we going to permit them to starve, when this the greatest and richest Government in all the world can save them? Not by my vote.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. HEFLIN. I yield.

Mr. BARKLEY. I simply want to suggest to the Senator from New York [Mr. COPELAND] that the best way I know of to assure an appropriation to feed the hungry people in the United States is to move them into China or to Russia. If we could get them over there, so that they would not any longer be American citizens, and if they would appeal to us on the same conditions under which they appeal to us as American citizens we would make an appropriation to feed them.

Mr. BLEASE. Mr. President, I call the attention of the Senator from Kentucky to the fact that we are now feeding millions of foreigners in this country, a good many of whom are doing work which American citizens who are hungry should have.

Mr. HEFLIN. That is very true, Mr. President, and they ought to be deported and I am still trying to have that done.

Now, I hope I may be permitted to proceed to finish what I expect to say in a very short time.

Mr. President, I recall that we appropriated a hundred million dollars to feed starving Europeans. At another time we appropriated \$20,000,000 to feed starving Russians. We appropriated in all on that occasion \$120,000,000 for foreigners, and the House and the Senate voted for those measures.

Now, we come with a case of great distress in our own country, widespread want and threatened starvation unparalleled in our history, and we are asking for just half of the \$120,000,000 that we gave to foreigners—\$60,000,000—and the body at the other end of the Capitol has denied it to us by cutting out \$15,000,000. They will not give to our own people in distress in the various States of the Union half of what they gave away to foreigners.

How are Senators going to face their constituents, some of whom are in dire distress? Mr. President, there is real distress in many places in our country. Take the farmers in States where no crop has been made this year. They mortgaged the 1930 crop when they planted it, and they mortgaged their livestock, and many of them mortgaged their household effects. The crop failed. They have nothing left to mortgage. Senators, they are in dire distress, and they are fine, upstanding, honest, loyal American citizens. Break the morale of that class of people in this country, and you will strike down patriots who constitute the real source of the Nation's strength and glory.

Will it not be a glorious Christmas present to let American patriots know that you are going to send them some hay for their horses or some corn for their hogs, but that you are not going to aid them in obtaining food for themselves and families?

How can any Member of the House or the Senate excuse himself for voting for a bill to lend a man money to buy corn for a horse or a hog, and deny him the right to borrow to buy food for himself and his starving family?

Surely we can get together and stand together on \$60,000,000 for the millions of distressed men and women in the drought-stricken sections of our country.

Mr. President, there is a serious situation confronting this country. Think of what has been done for another class of our people. In the last 10 years or a little over in rebates and credits the Government has given to the mighty rich \$2,000,000,000. In the refund of taxes it has handed over to the mighty rich \$1,800,000,000.

In response to my resolution I have just received a report from the Secretary of the Treasury showing the amount of money in circulation for each year from 1919 up to and including the year 1930. The amount has gradually decreased until to-day we have the smallest volume of money in circulation that we have had for any year since 1923. There is where the American people are hurt and terribly handicapped. The body of business is suffering. There is not a sufficient amount of lifeblood—money—circulating in the body—business—to keep it robust and strong.

Business stagnation is seen everywhere and banks are failing on every hand. Eleven hundred banks have failed this year. The people in the drought-stricken regions are suffering, and many are in great distress, but we can not get enough money appropriated here to serve them in this hour of their greatest need.

Sixty million dollars is not a large amount for the great number of people that we must aid at this time. Mr. President, the House denies us the \$60,000,000, and right now \$150,000,000 is being loaned to the shipbuilders of the United States. The Government's money—more than twice \$60,000,000—is being furnished to these private individuals to carry on their private business, but the Government is not allowed to go with adequate funds to the rescue of millions of men and women who are hungry and in great distress.

I recall the lines of Clark in *The Lost Atlantis*:

The few claimed all the increase
From ocean, soil, and air,
Precious stones and gems and metals,
Flocks and grain and fruitage rare.
And they built a golden image
In the grandest of their marts,
And the incense that ascended
Rose from ruined homes and hearts.
The only word the image uttered
Day and night was "give."
And the people feebly answered,
"Grant us work that we may live."

And the toilers starved and perished
On the highway and the moor,
And the wolves of want went prowling
Round the cabins of the poor.

And I heard a voice proclaiming,
Down the solemn aisles of space,
"He who strikes a starving brother
Smites his Maker in the face."

Mr. BARKLEY. Mr. President, I have no disposition to be technical or to split hairs over the meaning of language inserted by the conference committee. Either the language suggested meant by some deceptive method to include food, or it did not.

If anybody in either House of Congress or in any executive department was willing by general provisions to authorize the Secretary of Agriculture to buy food, but did not have the honesty and courage to say so, then I say that that is a piece of deceptive and dishonest legislation. If we are willing for the Secretary of Agriculture to buy food with this money, then we ought to be honest enough to say so and not do it by indirection. So that, so far as I am concerned, either interpretation of this language is subject to condemnation. It either meant food or it did not mean food.

If the Senator from Virginia is correct in stating that this language was inserted in order to take care of fruit growing, because fruit growing is not specifically mentioned any more than any other agricultural product is specifically mentioned, then, of course, there is not a pound of food included in the language and the Secretary of Agriculture is not authorized to buy a pound of food under that language.

Mr. CARAWAY. Mr. President, the fruit grower is going to be as much disappointed as other farmers are, because there is no authorization for that.

Mr. BARKLEY. Of course. I think the language without that clause is broad enough to include any sort of agricultural products. We learned in the tariff debate here that the word "agriculture" is a flexible word, which includes all sorts of things which grow out of the ground.

So far as I am concerned, I think the Senate ought to have retained the language which it had in the bill originally, including food. It is the almost unanimous opinion of every Member of this body that that language was justified in the beginning. If the Secretary of Agriculture and the President of the United States and the Members of both Houses of Congress knew the real conditions in the rural sections of the drought-stricken region as they are known by those who live in those sections, they themselves would be converted, in my judgment, to the proposition that food is necessary to be included in the bill.

I have no information that is very accurate from any State except my own. As I said on a former occasion, the committee set up under the administration known as the drought-relief committee, after making a survey of the State of Kentucky, reported that a minimum of \$10,000,000 was necessary to loan the farmers who have no credit and who can not obtain loans in any banking institution; who can not make any negotiable instrument that will be accepted in any financial institution. Of course, I do not insist—and neither does anybody else insist—that Kentucky alone is in that condition or that we would expect \$10,000,000 out of any such appropriation as that which is proposed here; but if the drought-relief committee set up in my State, after an exhaustive investigation through local committees in all counties that knew the situation, is willing to state that \$10,000,000 is required in that one State, and we appropriate only \$45,000,000 for the entire drought-stricken area, we can all see how inadequate is that appropriation to meet the situation which exists.

Mr. BLACK. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Alabama?

Mr. BARKLEY. I yield.

Mr. BLACK. I would like to state to the Senator that the same kind of a committee in Alabama has reported that the sum of more than \$10,000,000 is necessary there for the same purpose.

Mr. BARKLEY. I realize that the same kind of committees in other States reported the amounts necessary and all did it under the jurisdiction of a movement set on foot by the President of the United States.

Mr. President, I claim that the Secretary of Agriculture has no adequate information about the situation in my State, and I doubt seriously if he has as to the condition in other States. He went to the city of Frankfort, Ky., on the train, got off between trains, conferred with the governor of the State for a little while, and went from Frankfort to the city of Louisville in an automobile after dark, and then gave out a statement, in view of the fact that a little shower had come which wet the road, that the situation was well in hand in Kentucky and there was no suffering, and said that, as a matter of fact, the drought had done very little damage anyway.

I have information which has been given to me from sources that I know to be absolutely accurate that in my State to-day there are from 300,000 to 500,000 people who are hungry. They are not living in the cities, either, where the Red Cross and the Salvation Army are undertaking to care for the people's wants. They live out in the rural sections, where neither the Salvation Army nor the Red Cross has facilities for looking after them. I am informed that in the larger cities of my State there are 4,000 school children being fed by these welfare organizations. In one county where the Salvation Army has an office and has some facilities, there are more than 300 families being fed to-day by that organization, and they are not people who live in the cities. They live in the country for the most part.

An investigation was made among the school children of a certain county. Out of 120 counties in Kentucky 116 were seriously affected by the drought, every county in the State except 4. A committee was sent to investigate the food that was being consumed by the school children in a certain rural county. They came back and reported that they looked into the dinner buckets of those school children and found in those dinner buckets in three school districts in that county green hickory nuts and green walnuts and rotten heads of cabbage as the only food those children had to subsist upon in order to enable them to go to school.

I do not think the condition in my State is different from that which exists in other States, although the failure of crops in certain portions of my State for a period dating back even to 1927 may intensify the condition there. Indeed, in the western end of Kentucky, where I happen to live, we have not had a normal crop for four years, not since 1927. The people down there raise tobacco. That is their money crop. They produce practically no foodstuffs at all, because as early as last April, when I was in Kentucky, they were complaining of the dry weather and that it had prevented them from planting a large crop of this product. That drought has continued from that time until to-day, and to-day hundreds of communities are hauling water for families and for their stock; thousands of barrels of water wherever it can be found are being hauled to the school-houses. As a result of this condition, although more than a million people in the several counties have been inoculated against typhoid fever, a record no other State has equaled up to this time, there will be an increase in all probability of 33½ per cent in that disease in that State alone, due to the conditions which I am attempting to describe.

As I said a while ago, the Red Cross and the Salvation Army are wonderful organizations and doing a wonderful work. The public in the State of Kentucky has responded in a more magnificent way than ever before in the history of the State to the call of these welfare organizations to relieve the situation. Every city council has gone the limit of its power under the law to appropriate money for charitable purposes. Every county has done the same thing. Yet, in spite of these welfare organizations, in spite of the fact that the counties and cities have gone the limit in appropriating money out of their treasuries to take care of the situation, we find the conditions which have been reported to me by the State board of health, which has made a careful, painstaking survey in every county of the State of Kentucky.

It may be that it is against the Constitution, that it is a violation of our conceptions of the functions of the Federal Government to appropriate any money out of the Treasury to feed these people in the United States of America; but I ask, Mr. President, by what right we can construe the Constitution to give us power to appropriate \$100,000,000 to feed starving people in Europe and \$25,000,000 to feed starving people in Russia, for both of which I voted and would vote for again; I ask, What right have we to construe our Constitution to provide that we may appropriate for people in other countries and deny it to the people of our own country who support our flag and Constitution in times of war by their lives and by their blood and in times of peace by their taxes? It is unworthy construction, in my judgment, of the powers of the Federal Government. It is an unworthy limitation upon the functions of our Government to hold, even after local committees, local organizations, and local governments have exhausted their power under the local laws to relieve the situation, that even then the Federal Government has no right to go to the rescue of the people except to feed their horses and mules, hogs and cattle, but at the same time deny the people themselves the right to eat.

So far as the \$60,000,000 is concerned, it seems to me an unnecessary fight has been made to save somebody's face, because if we appropriated \$100,000,000 or \$1,000,000,000 out of the Treasury, every dollar of it is in the discretion of the Secretary of Agriculture, and although we might put at his disposal \$150,000,000 or \$200,000,000 to buy food, he is not required to spend \$100 of it for food unless he finds it necessary to do it in the exercise of his discretion. Therefore I inquire of my fellow Senators, and I inquire of the Government of the United States, why it is necessary to make all this fuss and furor over \$15,000,000 when the Secretary of Agriculture is not required to spend one dollar of it unless he finds it necessary to do so?

I think it most unfortunate, and I do not wish to exaggerate the situation, but I do wish to emphasize the fact that here in Washington the people do not fully comprehend the situation. It is a most distressing and, I think, unfortunate condition that we find the Congress of the United States and the President of the United States and the Secretary of Agriculture haggling and quibbling over the inclusion of the word "food" in a bill to grant relief to the people of the country who are its bulwark and its backbone.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Massachusetts?

Mr. BARKLEY. I do.

Mr. WALSH of Massachusetts. Do the cities and towns in the Senator's State appropriate money to be distributed to the poor for charitable purposes?

Mr. BARKLEY. I think every county and city in the State of Kentucky not only does it all the time, but they have gone to the limit in this particular emergency. They have been magnificent. They have denied every ordinary function of the government the money that might be necessary to carry them forward in order to enlarge the appropriations for these charitable purposes.

Mr. WALSH of Massachusetts. Do the officials distribute this relief or do the county officials turn the money over to some charitable organization?

Mr. BARKLEY. They do not act uniformly in all counties. Of course each county administration is held responsible for the expenditure of the money. Sometimes it is turned over to a charitable organization or a welfare committee, but an accounting is demanded from that committee or that organization when the money has been expended. Sometimes the county expends it under its own jurisdiction. In my earlier years I happened to be the judge in the county where I lived. The county judge has jurisdiction over the expenditure of charitable funds. Sometimes we allotted a portion of the funds to the Red Cross or some welfare committee organized in the community. Sometimes we disbursed it all together on county warrants. There is no uniform rule. It can be turned over to a welfare organization for distribution and frequently that is done, because

they have better facilities for investigating the merits of the claims; but there is no uniform practice.

Mr. WALSH of Massachusetts. The cities and towns of New England and I think generally throughout the North elect annually a board known as the board of overseers of the poor. Even the smallest community appropriates a certain sum of money which is needed, which is handed over to this board and distributed among the poor. The board pays the rent for poor families, buys shoes and clothing, and sends groceries and food from the shops and stores to the families, and the town or community pays the bill. I was wondering if that system prevails in the Senator's part of the country.

Mr. BARKLEY. I should say that every county in the State of Kentucky has a poor fund that is set apart especially for the purpose of caring for the poor. That is not a loan; it is a gift. The county never gets a dollar back nor does the city. It is a straight-out donation from the public treasury to take care of the indigent cases, which we always have with us. Manifestly in the drought-stricken area, such as we have had in our particular section of the country, in all of the States in the Mississippi Valley, it is impossible for a city or a county government to have enough money to accomplish all the purposes that are entirely worthy. They are limited in their tax rates. They can not raise the taxes beyond constitutional limits for this particular purpose.

Mr. WALSH of Massachusetts. In my section of the country the appropriations have necessarily had to be tremendously increased.

Mr. BARKLEY. That has been done in my State.

Mr. WALSH of Massachusetts. One of the incredible features of that action is that the increased burden rests upon the small landowners who have to have their taxes increased to help make up this emergency fund to take care of the poor and the unfortunate. It is nothing new. One would judge by some comments which we hear that there never has been any such policy in America as giving money for assistance to the poor. So long as I can remember and so long as I have been able to read the history of my section of the country we have always maintained a fund and officials whose business it is to find out who are poor, who need aid, and to spend the public funds to assist them, to protect them from starvation and from neglect through lack of proper shelter.

I am very much interested in having the Senator give us the description he has of the real conditions in his section of the country, and I will close by calling attention to the fact that only this morning I received a communication from the board of overseers of the poor of the community where I live—a small community of 14,000 people—in which they state that the number of persons now whom they are taking care of from public funds appropriated by the taxpayers is about 900. The normal number of persons they take care of each year has rarely exceeded 50. I think that helps to give us a picture of the conditions throughout the country.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. In just a moment I will yield to the Senator. I appreciate what the Senator from Massachusetts [Mr. WALSH] has said, because I know how he feels generally toward the problem of human suffering. To illustrate how this situation has affected the farmers in the county of Jefferson in Kentucky, in which the city of Louisville is located, the tax assessment of intangible property for this year has fallen off \$107,000,000. That means that those who held stocks and bonds, who had to give them up as the result of the stock-market crash, have been able to be relieved of taxation on their stocks and bonds to the extent of \$107,000,000, while at the same time the value for taxable purposes of farm land in that county has not been reduced by a single dollar. So that these farmers in these distressing circumstances are required to pay the same amount of taxes to save their property as they have been paying all the time, while those who have sold intangible property or

gotten rid of it, either voluntarily or involuntarily, to that extent have had reduced the amount of their taxes. Now I yield to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. The Senator has now passed some of the points where my interruption would have been pertinent, but with reference to some of the questions asked by the Senator from Massachusetts [Mr. WALSH] I desire to say that the system prevails in the section of the country with which I am familiar of raising funds by what are known as "community chests."

Mr. BARKLEY. Yes.

Mr. ROBINSON of Arkansas. Every city and almost every town organizes a campaign and carries it on very effectively to collect a fund to be used for charitable purposes. That fund is usually actually distributed through certain charitable organizations, generally including the Red Cross, and in some cities with which I am familiar including a number of other organizations. For instance, the city of Little Rock this year had an increased community chest; for the first time, I think, in its history the fund was oversubscribed, and that, too, under circumstances that made the collection of the fund quite difficult, because the large contributors, as a rule, were unable to donate the usual amount, but the smaller contributors made that up. We were, of course, highly pleased to see that the fund was oversubscribed.

Mr. WALSH of Massachusetts. Has the Senator no department of government in his city known as the poor department?

Mr. ROBINSON of Arkansas. No.

Mr. WALSH of Massachusetts. Have no cities in the Senator's State any such department?

Mr. ROBINSON of Arkansas. No.

Mr. WALSH of Massachusetts. In Massachusetts we have the community chest as well.

Mr. ROBINSON of Arkansas. We have in the counties provision for the poor, but that is not in the cities. It is not controlled by the cities; it is controlled by the counties.

Mr. BARKLEY. Mr. President, I appreciate what the Senator from Arkansas has said. We have the community chest in the large cities in the State of Kentucky, and after the funds have been raised they are distributed in an equitable way among the charitable organizations, but that is an activity that is largely confined to the cities. It may overlap the city limits a little bit so as to take care of the people on the edge outside, but it does not include farmers; it offers no hope of relief to farmers in the rural sections. The Red Cross—one of the greatest organizations in the world, and one which has done greater service in relieving human suffering than has almost any other organization conceivable—is in the same situation. It is not prepared to go out into the rural districts, and it has never made a practice of doing so.

Dr. John Barton Payne, the head of the Red Cross Association, for whom I have a profound admiration, in his report recently stated that they are now feeding 22,000 farmers. Of course, when one considers the number of cities, to which the Red Cross is practically limited in its distribution of charity, 22,000 families in this particular time is no great number of families compared to those who need relief. The only way by which the farmers, many of whom—I will say thousands of whom—for a period of four years, even, before this year's drought came had not made a normal crop, had not produced enough feedstuffs for their livestock or food for their families, will be able to get any relief in the way of food, unless this bill shall be either interpreted or changed so as to cover that item, will be through the Federal Government.

Mr. COPELAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from New York?

Mr. BARKLEY. I wish to conclude my remarks; but I yield to the Senator from New York.

Mr. COPELAND. No matter what may be the status of this measure—and I assume that it is foreordained to pass in the form in which it is presented to us—the Senator does

not fear, does he, that there will be no further opportunity for those of us who feel as we do about this industrial situation to make any appeal to Congress?

Mr. BARKLEY. I certainly hope that there will be further opportunity, Mr. President, if the need requires it, but why in a great emergency like this should we nibble at a thing? Why should we do what we are going to do grudgingly? Why do not we recognize frankly the conditions and deal with them, because in two months Congress will be away from here, I hope; and I further hope it will not be back until next December. We ought to make ample provision for any emergency before we leave here in March.

Mr. COPELAND. If the Senator will yield further, I should not be content now merely to vote for this bill, as I expect to do, unless I had in my heart a feeling that when Senators come back from the holiday recess they will be so impressed by what they are going to see during the next two weeks that they will come here ready to be extremely generous in voting whatever sums may be necessary not only for the relief of hunger and suffering in the rural districts but also in the cities and villages. I agree fully with the Senator; I know what the situation is upon the farm, but it is not limited to farm; it is everywhere, and I view it with great anxiety. I do not think we can deal with it lightly. I think we must come here with a firm and steadfast determination to work out some sort of legislation which will make available through some channel the relief of people in distress not only on the farm but everywhere throughout the country, because—and I am sure the Senator agrees with me—we have a dreadful situation confronting us and unless it is dealt with wisely we do not know what the end may be.

I will say to the Senator that, so far as I am concerned, I am ready to join him at any time in a movement to seek to give whatever relief we may properly give. I assume, as this bill is here in the form in which we now find it, we certainly would not wish to adjourn for the Christmas holidays without starting this much of the work, but there must be impressed upon the administration before another month shall have passed the seriousness of a situation which will need the administration to be very much more considerate and very much more yielding and very much more ready to provide funds for the very things the Senator has in mind.

Mr. BARKLEY. I appreciate what the Senator has said, but I will state frankly that I fear if we are to depend upon the holiday visits of our membership to their homes for additional information as to the real condition among those who may not be in a position to celebrate Christmas, we shall not have very much more information when we get back than we have now. I do not want the Senator to understand from what I have said here that I am in opposition to the pending joint resolution as it is brought back here, if that is all we can get; but I am not willing to have this incident go by, in view of conditions as I know them to be, without registering my protest against the niggardly policy which is being adopted here by the passage of this grudging joint resolution and against the efforts to hedge it around in every way possible so that need can not be administered to.

Mr. COPELAND. I sympathize with the Senator, but I think the man will be blind and deaf who goes to his home anywhere in this wide land over the holidays and fails to come back with a determination in his heart to do something in a practical way to relieve the situation.

Mr. BARKLEY. What about those of us who can not get home?

Mr. COPELAND. Let them look about here; let them go to Baltimore and visit some of the communities near Washington. However, when the Senator from Massachusetts and I go home we will see great lines of unemployed seeking work in front of every employment bureau in the cities of the East. My city has been extremely generous; it has raised \$3,000,000 to take care of the immediate emergency, but \$3,000,000 is only a drop in the bucket compared to what is needed to relieve human suffering in the section

of the country where I live, and I believe that is true of every portion of our great country.

Mr. BARKLEY. Mr. President, conditions in Washington are bad enough, but, of course, the Senator knows that Washington, being the capital of the Nation and the people here depending upon the pay roll of the Government, which has not been interfered with, and not being an industrial center, is feeling the prevailing depression more lightly than any other similar community in the United States, and we can not get an adequate view of this situation simply by staying here in Washington.

Mr. BLACK. Mr. President, will the Senator yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Alabama?

Mr. BARKLEY. I want to conclude, but I yield to the Senator.

Mr. BLACK. I should like to call the Senator's attention to the fact, when he refers to the niggardly policy being pursued, that it is my understanding the Democratic leader of the House of Representatives asked the chairman of the Appropriations Committee whether or not it was contemplated to appropriate this entire \$25,000,000, and, so far as anyone has been able to discover, the idea seems to be that even the \$45,000,000 will not be appropriated; that, while it is authorized to be appropriated, the same policy will continue and the same fight will occur when the question of the appropriation comes up.

I may state further that from information I sought to obtain from some in authority I reached the conclusion that they are waiting to see how much of the total amount will be appropriated, and that probably the plan is not to appropriate \$45,000,000 at all, but again to have the fight and seek to bring about another compromise in order that a great victory may be won for economy at the expense of the people.

Mr. BARKLEY. In other words, while we are nibbling at it and whittling it down bit by bit millions of our people are suffering. I do not wish to violate any of the proprieties, but I am satisfied that if the newspaper statements have been correct as to the attitude of the leaders of the dominant party in another branch of the Government and if their views are to be carried out in that branch there will be no amount even approximating \$45,000,000 actually appropriated for the relief of people in the United States who are in distress.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. CARAWAY. Mr. President, I had hoped that, as inadequate as this authorization is, it would be at least a recognition of the right of hungry people, starving people, to look to their Government for relief in time of distress. I had hoped that I should find in this conference report a recognition on the part of the Government, as voiced by the Congress, that human suffering is entitled to consideration. It is not in the bill, Mr. President. I can not deceive myself about it. It is out of the bill. There is not any authorization in the bill—and no one need vote for it with that belief—for the purchasing of one pound of food to alleviate the sufferings of starving humanity.

The Senator from South Carolina [Mr. SMITH] revealed what was beneath this language—that the administration has said that human beings should not be relieved of their sufferings by governmental instrumentalities, and therefore language was to be so inserted that a hope might be held out, but relief denied.

I have looked at the authorities, Mr. President, construing the words "and other purposes." There is not a single case where the courts have construed that language to add another element. For instance, if you have an authorization to take water for fire protection and for home consumption, and other purposes, the phrase "other purposes" does not add another power other than what were enumerated as purposes for which water might be taken. "Other purposes," as the words stand in this bill, does not mean anything ex-

cept this: That the Secretary of Agriculture is empowered, if it becomes necessary in order to protect the public against the gouging of profiteers, to purchase and distribute or sell to the farmers feed and oil for fuel. The method in which he may acquire it or distribute it is stated, but not that he may add some other item to the enumerated purposes for which he might let farmers have money or might use the money and thus buy food to be distributed.

If it were open to question, Mr. President, I should accept it and cherish the hope, as hostile as I know the administration now is, and the Secretary of Agriculture in particular, to granting this relief, that the circumstances might finally convince even these that this is a worthy activity of the Government to relieve the distress of human beings. But there is not any food under this bill. There is not a bite of it. Nobody need vote for it with any belief that there is.

In the first place, we know that the administration is against food being purchased and distributed to suffering human beings. We know the Secretary of Agriculture is against it; and when Mr. Warburton, who possibly will make the rules and regulations under which this measure will be administered, was before the committee, he was so openly hostile to it that he became offensive.

I am not going to enlarge upon the condition that confronts the people in my own State. I have a State pride that makes me regret that human suffering is so widespread in that State that local instrumentalities can not relieve it. But, Mr. President, the truth is the truth.

In the last two months almost a third of the banks in that State have closed. They locked up the resources of many of the counties and the cities, as well as those of the individuals. Much of the public funds have been involved in these failures, and in some instances the surety companies that guaranteed the return of these funds have likewise gone into the hands of receivers. Individuals who had money can not get it. But few of them had it. We have a drought situation in that State said by the Department of Agriculture to be more severe than that in any other of the States. On the 15th day of November last there were already 85,640 families in that State without means of subsistence. If there be five people to a farm family—and they usually would average that—there is more than a fourth of the entire population that already are without means of livelihood. These have been added to, I suspect, nearly a third since the 15th day of November.

I could fill a whole volume of the CONGRESSIONAL RECORD with letters and telegrams from presidents of banks, from merchants, from lawyers, from judges of courts, from county officials, from farmers, and people in every walk of life telling me that not only are the people without means but they are actually starving, and there is no relief in sight.

I had a telegram this morning from the chairman of the Red Cross drought relief committee in one county in my State, in which he told me that 1,400 families in that county alone were depending upon charity for bread. I have this other telegram that I shall read merely to show what the situation is as to livestock. This comes from Earl, in one of the rich agricultural counties of the State, but one that has been almost destroyed by drought:

Earl received no aid from Red Cross relief of human suffering. Some 3,000 mules in territory and more stock running at large in fields. Farmers unable to buy feed. If no relief soon, large per cent of mules will starve before money available for feed is paid. Is there anything you can do?

That dealt with stock. I have here a letter from a county judge, a man of large experience, in which he said that one-third of the people in his county had no means of subsistence; that the public morale was destroyed; that the finances of the county were locked up in closed banks; and that no one was extending relief.

I have here, Mr. President, letters—only a few of the many that came; some of them, as I said the other day, written by farmers whose hands are so cramped from toil that they are hardly legible—all bearing testimony to the same effect, that suffering is widespread, that actual starvation had commenced, and that no relief is being received

from any source. I intend to put these in the RECORD, if I may, although they do not constitute one one-hundredth part of those that have come to me from perfectly reliable sources telling of the situation that exists in the States.

I called attention to it the other day. I want to read again one paragraph from a letter of a very well known lawyer, a man of high character, in one of the counties, where, after a statement of the opponents of this bill that food ought not to be furnished, he said:

The Red Cross has done nothing, and proposes to keep on doing so. A lady who claims to be the head of the Red Cross relief for five counties had lunch in my home yesterday. She informed me that the Red Cross did not intend to help the share croppers on the large plantations; that it would be up to the plantation owner to look after his own tenants and croppers. To arbitrarily take such a stand leads me to believe that we must look in other directions for relief. Delayed relief will fail to accomplish its purpose, for thousands of our people will not be able to subsist for another 30 days.

Then he says that he made an actual survey of some of the people on the farm.

In the first home I found 15 pounds of flour, 10 pounds of meal, 3 or 4 pounds of lard, and 2 pounds of meat; in the second home, 10 or 12 pounds of flour and 3 or 4 pounds of lard; in the third home, not more than 10 pounds of flour and 2 pounds of meat.

And he added:

These are typical of the entire rural population in that community.

Remember, that is all there is. There is not anything back of that; and in the same letter he said that school children were actually undergoing slow starvation.

The newspapers this morning said that Mr. Hoover had won a great victory in the two relief bills. If it be a victory to doom innocent women and children to slow starvation, why, God bless his soul, let him have whatever glory is attendant upon that great victory, because in this measure he has won that victory. There is not a mouthful of food in this bill for a single starving woman or child in America. If it be a great victory to protect from increased taxation the men who piled up huge fortunes while the sons of these starving men stood in the mud and blood of the trenches in France—if it be a great victory to protect these fortunes against an increase of taxation, although the bone and sinew of this country starves—the administration has won it, Mr. President; and I am not deceiving myself. There is not any relief in this bill. There is not any disposition to relieve starvation in this bill.

There is no use for us to pretend that we hope that the Secretary will liberally construe it. He will not do it. There are people who think a great victory is won if the Government shall refrain from aiding suffering humanity. I have noticed their letters in the papers. I have read editorials along that line. Some poor fellow up at Lewiston, Me., the editor of the Lewiston Sun, wrote an editorial chiding all of us who thought that starvation ought to be relieved, even though taxes should be increased. He thought so much of that childish effort of his that he marked it and sent it to every Member of the Senate.

A Mr. Randall, in Baltimore, wrote me a letter which came this morning, inclosing a clipping from the New York Herald Tribune, written by a man by the name of Hubbard, congratulating the people upon the fact that Mr. Hoover was resisting a raid on the Treasury in the way of a dole.

Not only do they want to deny suffering humanity the right to live and the starving the right to be succored, but they want to insult them merely because they have dared ask their own Government for relief, because these imagine that the word "dole" carries with it some implication that it is a degrading thing.

Mr. President, Great Britain has paid a dole, although their tax rate is nearly a hundred times ours, and I believe Great Britain is more to be honored that she did tax her rich and keep the poor from starving than if she had adopted the policy of this administration, and said, "We will conserve the wealth of the rich, although the manhood and womanhood and childhood of the nation shall starve."

That is the situation which confronts us. I am not criticizing the conferees. I am satisfied with what the Sen-

ator from South Carolina said, that they were told that they must take this or get nothing, and they took it.

The spokesman for the administration was not represented among the Senate conferees. The administration's voice was heard from the conferees on the part of another body, and when they said, "This administration will not stand for food. You may put in some word that will enable you to console yourself that you come as near as you could to feeding the hungry," and you will know that they spoke the language of the administration and the interpretation the administration will put upon this bill.

Somewhere in the Bible there is said "people asked for bread and were given a stone." That is what this measure does.

Fortunately or unfortunately, I do not subscribe to the theory it is entirely proper to accept charity from charitable organizations, but highly improper to accept relief from one's own Government.

Every generation has created more wealth than it has consumed. If that were not true, we would not have the cities and the towns and the homes, the railroads and the other instrumentalities which serve civilization. Every bite every man and woman will eat to-night somebody's hands produced. Every yard of silk which will adorn some fine lady's person to-night represents the toil of somebody. Human labor created every dollar of wealth there is. As I undertook to say the other day, banks do not create wealth, lawyers do not create it, educators do not create it, governments do not create it, statesmen are not creators of wealth, newspaper editors do not create wealth.

For every dollar of created wealth somebody's back ached and somebody's brow sweated. Therefore the people who are now being denied relief are the ones who are feeding the rich to-night, they are the ones who are clothing the rich to-day, they are the ones who supply the vital necessities of life for all people. They will feed the President of the United States to-night, they will feed the Secretary of Agriculture to-night. Yet the administration would strike down their hands when they ask that they may share a little of the wealth they created and that they may eat some of the bread their toil produced.

I think that if there be any discredit, there is a discredit resting upon the Government which says to the people who created the wealth, "When misfortune overtakes you, you may not ask the Government which you created, the Government which you defended, the Government which you supported, for aid. You must go to a charity organization and get private charity." That is a reflection upon the very Government they created, and not upon the people who ask for relief.

Whatever we may think of the present dominating character who holds in the hollow of his hand the destiny of the Italian people, when an earthquake destroyed one of their cities and many of their towns last summer, and charitable people were cabling offers of relief, he said, "The Italian Government owes it to its people to succor them, and will do so." I think that if nothing else shall outlive his tenure of office, that acknowledgment that the Government should take care of the people who support it ought to give him immortality in history. It is a creditable thing to recognize that the people who made the Government, who supported it in time of war, and who maintained it in time of peace, who produced its wealth, are entitled to be protected when misfortune overtakes them of such a nature that they can not protect themselves.

Mr. President, there has been no disposition on the part of the farmers of the United States to raid the Treasury. Whoever originated the charge that the farmers of the United States did that is guilty of one of two things—monumental ignorance or absolute lack of veracity. They have not done it. Up to very recently, and I presume to this very time, the farmers have produced nearly three-fifths of the volume of our foreign trade. Ever since the Civil War, if it had not been for the agriculturists, the balance of trade would have been against the United States instead of in favor of the United States.

The farmers furnish more than two-fifths of the freight that is hauled on the railroads of this country. When America's honor was at stake upon the bloody battlefields, wherever it was, whether in the United States or in France, they furnished a larger number of men who laid down their lives to defend the flag than any other group in the United States. And now when misfortune overtakes them, when by thousands they are literally starving and their wives and children are starving with them, and they ask the Government which they created, the Government which they defended, the Government they maintained in time of war and in time of peace, to be permitted to share a little of its bounty, that they might have the same right that it extends to dumb brutes, they are denied.

I close as I commenced. The papers say that Mr. Hoover won a great victory. I think he won the kind of a victory referred to by Wellington when he rode over the battlefield of Waterloo and said, "Another victory like this will destroy us all."

The President won a great victory. He saved a few million dollars and he shut the hearts of millions of praying mothers and suffering children against any appeal he may make in the future. If he is proud of his victory, I am sure that he alone will rejoice.

Mr. SMOOT. Mr. President, I wanted the Senate to understand that one statement by the Senator from New York impressed me greatly, and I thought to myself, "I believe that I could suggest to the Senator a plan whereby all the poor in the State of New York—and I might just as well have said the United States—could be taken care of if it were put into operation."

The Senator asked me, "Well, what plan is it?" I said: "This is the plan: If every person in the State of New York would forego eating one meal a week and give the cost of that meal to a fund to take care of the poor of the United States, there would be no suffering for food in the United States." I think the same plan would work from one end of the country to the other. That is what I said to the Senator from New York when I went over to speak to him, and it was brought to my mind by a statement which he made, in answer, I think, to the Senator from Arkansas.

Mr. NORBECK. Mr. President, I desire to ask the distinguished Senator from Oregon, having this report in charge, whether the measure covers hailstorms?

Mr. McNARY. Mr. President, the language of the measure refers to drought-stricken and storm-stricken regions. A hailstorm is one of nature's agencies of destruction, probably the worst in certain sections of the country, particularly that part of the country from which comes the Senator from South Dakota. It is my opinion that a hailstorm would come directly within the provisions of the act.

Mr. BORAH. Mr. President, just a word. I think I understand the situation as it presented itself to the conference committee. It was necessary to make concessions in order to get a report at all, and I presume the conference committee, as well as all others here, felt the necessity of having some bill passed before the holidays. For myself, I am very anxious to see some measure of this nature, whether sufficient and efficient or not, passed before we go away for the holidays.

Mr. President, I wanted further to say that I am very clearly of the opinion that in bringing about this compromise the conferees had to waive any provision with reference to the purchase of food. I myself can not, under the circumstances, see any authority in the conference committee bill for the purchase of food.

The administration has contended, and the Secretary of Agriculture has contended, that the supply of food is not an incident to crop production. They have stated over and over again that they were willing to see money appropriated for the purpose of doing all things necessary to bring about the production of a crop for the next year. But they were unwilling to have any provision which would provide for the purchase of food. That is the construction which they have placed upon it.

When we go into conference and deliberately strike out the word "food" and all language with reference to food and put in a clause which provides "for other purposes incident to crop production" and when those who will construe it have already construed it that the purchase of food is not an incident of crop production, there can be only one construction expected in the future. However, as I said, I realize we have abandoned that proposition, but I am not going to oppose the final passage of the measure because in its present form it is infinitely better than that we do nothing prior to the holidays. Before two months shall have passed we may be compelled to reconsider this matter of food.

Mr. CONNALLY. Mr. President, when I read the newspaper this morning to the effect that the Senate conferees had extorted from the House an agreement to make this amount \$45,000,000 and providing that the Secretary of Agriculture might extend food loans, I was very much gratified. I thought that for once the Senate conferees have come back with a little slice of bacon. But when we consult the report and when we hear the exposition of the Senator from South Carolina [Mr. SMITH] this delusion is absolutely and rudely dissipated. The bill, as it stands, simply means that we are going to authorize an appropriation of \$45,000,000 and that the Senate is surrendering on the real emergency provision for relief that was in the bill which passed the Senate.

The Senate, as I recall it, voted unanimously for \$60,000,000, and it voted unanimously to extend loans for the purpose of feeding hungry men and women, and, if you please, babies. By reason of the exigencies of the situation we shall probably have no other alternative except to vote for the conference report, but I am going to vote for it with no illusions. Everybody knows that the Secretary of Agriculture from the beginning has said that it is not a proper function of Government to feed human beings. I do not subscribe to that doctrine. I do not believe it is statesmanship to feed mules in preference to human beings, or that it is unsound and beyond the province of Government to provide loans to feed our hungry people when they are hungry through no fault of their own.

The Weather Bureau the other day said that the drought which visited this country in 1930 was the worst in the history of the United States, bringing more suffering and covering more territory than ever before. That is a condition for which the people are not responsible. Who is responsible for creating the belief throughout the country that the Federal Government is going to do something for the drought-stricken people? We did not originate it. There was a national conference called in Washington on drought relief. The Secretary of Agriculture was appointed chairman of a great national drought relief committee, and that committee was going to do something for the relief of the drought-stricken people.

In my State a committee was appointed. They had a state-wide meeting. I attended it. It appointed a committee to come to Washington at once and consult with various departments. I came with that committee at my own expense. We consulted the Department of Agriculture and all it had to tell us was a lot of mouth-filling phrases, to go back down home and coordinate and cooperate and do a lot of things of that kind with local agencies; "see the Red Cross; organize local committees; organize your own finances and feed yourselves." That was the program then.

Mr. President, I have no animus against the Secretary of Agriculture. I am not talking about him. I am talking about his ideas. What does he propose? He does not believe it is right to grant food loans. He does not want to be given the right to grant them. He told the committee that he does not want it, which is as much as to say that if he has the power to decide, he will decide against it. When we consult the records as to the legislation and see where the Senate receded from inclusion of the word "food," and where the House of Representatives struck out the word "food," we know that the courts, of course, would consider the proceedings and would say there was no power to loan for food because the Senate had deliberately surrendered. But this matter will never go to a court. There is no way of ever

getting a decision of a court. We are authorizing this member of the Cabinet to make the decision and from his decision there will be no appeal. No one has such a legal right to this fund that he can go into court to compel a loan for food.

So, Mr. President, we shall have to vote under the circumstances for the conference report, but the Secretary of Agriculture and his drought-relief committee are perpetrating upon the drought-stricken sections of the country a great disappointment. They agitated it. They incited and built up the hopes of the people that they were going to get some relief. In my State there are 75 counties which suffered from the drought, 75 counties recognized by the Secretary of Agriculture, because he authorized reduced freight rates into and out of those counties for the shipment of feed. The inhabitants of those counties are not paupers. Many of them own their own homes. They come from thrifty sections. Some counties in this area have suffered from the drought for the past three years. They have no money with which to buy seed or feed, and they have no money with which to buy food.

The Government recognizes that fact. The Government has said, "We know you have no money to buy seed and feed, and therefore we will give you money with which to buy. We also know you have no money with which to buy food, but our philosophy of government will not permit us to accede to your request for money to buy food." According to the Secretary of Agriculture and his advisers, a cow and a calf are more valuable and more desired to be permitted to live than a mother and a suckling babe. The Secretary of Agriculture and his advisers are strong for fertilizer. If an old hillside has become impoverished in its soil, open up the Federal Treasury and give them some fertilizer to enrich that old hillside; but if a human being is impoverished, do not contribute a cent to enrich the blood stream and give that human being a little sustenance. That is their political philosophy. That is their idea of statesmanship.

Mr. President, I dissent from that doctrine, and when I vote for the conference report, as I suppose I shall have to do, I do not want anyone to labor under the delusion that I am agreeing to the premises upon which the body at the other end of the Capitol struck out the word "food," and I do not want them to believe I am acting under any intellectual fiction such as that upon which the conferees acted when they said they could strike out "food" with a sledge hammer and by finesse insert a few cryptic words and by some art of interpretation on the part of the Secretary of Agriculture bring "food" back into the bill. "Food" is not in the bill. Mark my prediction, unless we adopt some other measure when we return here after the holidays, under the administration of the Secretary of Agriculture no loan for food will be made from this fund.

It has been pointed out in the splendid address by the junior Senator from Arkansas [Mr. CARAWAY] that we have appropriated generously of our money to feed the hungry in other lands. I wonder what kind of an appetite a Russian has that makes it any more necessary to satisfy that appetite than the appetite of an American citizen who fights our battles in time of war and does the toil and labor of the country in time of peace? I wonder why it is that a name we can not spell or pronounce should have more attraction for the bounty of the Government of the United States than the good old Irish or Scotch or German stock that peoples these areas visited by the drought? The opposition to granting food is of a small microscopic type of statesmanship—feed a mule, and let the man who owns the mule starve!

I have a letter from a prominent citizen in one of the counties in my State appealing for help.

Last Saturday a farmer came before our local welfare committee and said he had 9 children and his son had 3, making 16 mouths to feed and nothing to feed them on. Our welfare league and our citizens are doing all they can, but the load is getting too big, and it does seem that immediate relief could be managed.

I am going to wire that man to quit raising children and begin raising mules. [Laughter.] And then the coffers of the Federal Treasury will respond to his appeal.

Mr. President, the people are to be told to go to the Red Cross; but these appropriations are not for charity; they are not for gifts. The history of seed and feed loans is that more than 80 per cent of all the money loaned under any form of relief of this character has been repaid into the Treasury. But our statesmen say, "Go to the Red Cross." Yes; go to the generous, go to those with big hearts, who go down in their pockets and out of their charity contribute to the Red Cross; but do not go to those old hard-hearted who will not pay money except when the Government extracts it from them by law; do not let them contribute anything.

The Senator from Utah [Mr. SMOOT] proposed a wonderful plan of relieving the distress. If the Senator from Utah will present such a bill to-morrow to the Finance Committee I will vote for it, as I am a member of that committee. His proposal is to make every human being in the United States go without one meal a week and turn over the equivalent of the cost of that meal to a relief fund. I will vote for it in the committee and I will support it on the floor of the Senate. But the Senator from Utah knows that such a proposal is a dream. He knows that is a figment of his elastic imagination. He knows no one will do it, and he knows there is no power on earth than can make anyone do it. The only way we can make anyone contribute the equivalent cost of a meal a week is by a tax law. The Senator from Utah shakes his head. The Senator from Utah and his committee have the power to bring in a measure taxing the people and turning that money over to the uses to which he says it ought to be put, but he will not do it; and yet that is the only way it can be done. Therefore, the Senator from Utah is not in favor of doing it. A man who wants a thing done should be willing to employ the only method by which it can be done. The idea of the people surrendering one meal a week is a dream.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Utah?

Mr. CONNALLY. I yield.

Mr. SMOOT. I did not say that it could be done; I merely suggested that if such a plan could be adopted by the people of the country it would probably be the easiest way and the best way possible that I could think of to relieve the entire situation.

The Senator knows that the Finance Committee can not act upon any tax measure until the House has first acted upon it. I had no thought of legislation along the line of my suggestion. I merely indicated that it would be a splendid thing if the people of the United States would follow such a course; that is all.

Mr. CONNALLY. I agree with the Senator; I realize the Senator's motives were good, but the process he suggested was absolutely impracticable.

Mr. BARKLEY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Kentucky?

Mr. CONNALLY. I yield.

Mr. BARKLEY. The only fault with the suggestion of the Senator from Utah is that one meal a week would not accomplish the purpose.

Mr. SMOOT. I think it would.

Mr. CONNALLY. Let me say to the Senator from Kentucky that one meal a week of the kind the Senator from Utah probably eats would do it. [Laughter.] One meal a week, costing, let us say, a dollar—and I am perfectly willing to accept the proposition of the Senator from Utah if he will put it in effect—a dollar a week for 120,000,000 people would be \$120,000,000 a week, and for four weeks it would be \$480,000,000 which the Senator from Utah thinks the people ought to contribute for one month to feed somebody. Yet when he has an opportunity of voting to appropriate \$60,000,000 to feed 120,000,000 people he holds up his hands and says, "Oh, we can not do that; it is not sound political policy; it is not sound economy; it is not sound philosophy."

Now, Mr. President, hungry people will find out that this bill is a tragic and a serious disappointment. Senators may

smile, but I want to tell them that there is suffering in this country; there is suffering to-night; there is hunger to-night. In counties in my State ordinarily prosperous people have had to leave their homes and go out and hunt employment elsewhere. With no food in the larder, with no money in their pockets, and with their property all mortgaged at the banks, and the banks having loaned all they can loan, what are they going to do? I believe that a great Government like ours in an hour such as this should not say, "Nay." It has extended charity to other peoples over the earth. Mr. President, let it not be said that it is generous to every people save our own.

Mr. THOMAS of Oklahoma. Mr. President, I shall detain the Senate but for a moment. I am opposed to this conference committee report. I ask at this time to have read at the desk a telegram from the chairman of the Oklahoma's governor's committee for employment.

The PRESIDENT pro tempore. Without objection, the clerk will read.

The Chief Clerk read as follows:

OKLAHOMA CITY, OKLA., December 16, 1930.

HON. ELMER THOMAS,

Senate Office Building, Washington, D. C.:

Governor's committee for employment composed of representative men from every section of State, numbering 22, unanimously indorse resolution to the effect that amount proposed for farm relief by lower House of Congress wholly inadequate to meet situation. Conditions in southwestern Oklahoma are bad and are getting worse. Many farmers have absolutely nothing with which to go through winter. Representatives from southwestern section of State confident that, while local expedients may carry farmers through next two months, they must have relief not only in way of feed for stock and seed for planting, but that provision should be made for food for themselves and families. Committee recommends that this be in form of a loan to be secured by crops and land and to include liberal terms of repayment. Committee indorses sum provided by Senate resolution.

J. F. OWENS,

Chairman Governor's Committee for Employment.

Mr. THOMAS of Oklahoma. Mr. President, before I left my home for Washington, I was thoroughly familiar with the conditions there. I came across the country through Missouri, Illinois, my old home State of Indiana, Ohio, and Pennsylvania. When I reached Washington I was more thoroughly convinced than ever of the deplorable condition which exists throughout that section of the country. The President, in submitting his message to Congress, devoted half of it to a discussion of the distress prevailing throughout the Nation. Acting upon what I knew to be accurate information, acting upon the message of the President, I submitted a resolution proposing the creation of a select committee to make a survey of the entire country, and then to suggest some relief to take care of the situation. When I asked unanimous consent for the consideration of that resolution, objection was made. At a later date I made a motion for consideration of the resolution, but when a vote was taken a majority rejected it. I could not understand that action then, but I can understand it now. It was the purpose then to do nothing of any substantial consequence to relieve this situation.

Now, after three weeks of consideration, we have before us a conference committee report, and I want to call the attention of the Senate to the last section of that report. It is demonstrated, I think, by this report that nothing is provided in the joint resolution for food for human beings, and yet a farmer can borrow money to buy wheat, a farmer can borrow money to buy corn, and after he has secured a loan and purchased wheat and corn, if conditions should arise whereby he should feed some of the wheat or some of the corn to his starving wife and children there is a penalty provided in the last section of the joint resolution of a fine not exceeding \$1,000 or imprisonment not exceeding six months in jail or both. That is the penalty provided by this joint resolution in the case of a farmer who borrows money from the Government to buy wheat or corn with which to feed his stock, and then uses some of the wheat or corn to feed himself and his family. He is subject to a fine not exceeding \$1,000 or imprisonment not exceeding six months in jail, or both.

Mr. President, I can not subscribe to such legislation; and, for the reasons I have just stated, I shall vote against the conference committee report.

Mr. NORRIS. Mr. President, if any other Senator desires to speak, I will not seek the floor. I will not claim it until everybody else is through.

Mr. President, I want to refer to just a few things that apparently some Senators have charged against the conference committee of which the members of that committee are entirely innocent. The Senator from Oklahoma [Mr. THOMAS], in practically the last sentence he spoke, made an attack upon that part of the joint resolution providing a penalty. I have here a copy of the report of the conference committee, and I read the penalty provision from it, as follows:

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such advance, loan, or sale, under this resolution, shall, upon conviction thereof, be punished by a fine of not exceeding \$1,000 or by imprisonment not exceeding six months, or both.

That provision was in the joint resolution as passed by the House. Now, let me read from the joint resolution as passed by the Senate.

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such loan, advance, or sale, under this resolution shall, upon conviction thereof, be punished by a fine of not exceeding \$1,000 or by imprisonment not exceeding six months, or both.

Does any Senator find any difference between the two? Is there a difference? The capitalization, even the punctuation, everything is the same. What has the conference committee got to do with that? That was not referred to the conference committee. Is the penalty severe? Is it wrong? Should it be omitted? If so, the Senator's eloquent voice ought to have been raised when the joint resolution was before the Senate. The House had passed the joint resolution containing that provision and the Senate passed a resolution containing an exactly similar provision; the penalty is identical; there was no disagreement between the House and the Senate. What had the conference committee to do with it? They had not any more to do with it than the man in the moon. It never was submitted to them. The Senate is to blame for it if it is wrong. Why did the Senate pass it? Why did not the Senator oppose it then, if it is wrong? I am not arguing whether it is right or wrong; I am calling attention to the injustice of the charge being made here against the conference committee.

Mr. THOMAS of Oklahoma. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Oklahoma?

Mr. NORRIS. I yield.

Mr. THOMAS of Oklahoma. When the joint resolution was passed by the Senate it provided for the furnishing of food to human beings.

Mr. NORRIS. Suppose it did?

Mr. THOMAS of Oklahoma. That provision has been stricken from the measure.

Mr. NORRIS. Exactly; suppose it has been?

Mr. THOMAS of Oklahoma. My suggestion was that under the joint resolution as agreed to in conference a farmer can borrow money with which to buy seed or he can borrow money with which to buy seed corn or seed wheat; and if his family were hungry and he had nothing else to feed them and he should choose to use some of that wheat or corn for food for his starving family he would be subject to a penalty. My attack was not upon the penalty especially, but it was upon leaving out of this joint resolution the item of food.

Mr. NORRIS. Yes; but the Senator complains of the penalty. I do not want to take up the time of the Senate to argue it; it was once before the Senate, and that is the time when the attack should have been made if the provision is wrong. If the penalty is too small, it should have been increased; if the penalty is too great, it should have been decreased; but it was not a question that was submitted

to the conference committee. Suppose the conferees had made the penalty \$500 instead of \$1,000, what could have happened? A point of order could have been made against the report, either in the House or in the Senate, and it could have been sent back to conference. A mere technicality would have thrown it out.

I want to call the attention of the Senate to what was before the conference committee. If it were not that it might prolong the agony of suffering of many people, if it were not because of the suffering which is immediate, if it were not because of the emergency which now exists, and which has been described so often here this afternoon, I would be glad to see the measure go back to conference.

There is suffering now, there is starvation now, to-day, at this hour; perhaps many have died from starvation while we have been talking about it. An emergency! What could the conference committee do when we had the proposition put up to us—take this or take nothing? That is what we were up against—take this or go empty handed. I confess, Mr. President, if I had felt we could not get even \$45,000,000 in conference and would have had to take \$30,000,000, I would have accepted it before I would have broken up that conference.

There is need now not only for food but for seed. If we are going to supply seed to the farmers, we have got to get to work immediately, right now. Arrangement must be made in the southern part of the United States for planting if planting is going to take place. That does not apply to all sections of the country; but everybody knows it is going to take some little time for the Secretary of Agriculture to put into operation the machinery to locate the suffering and the need. He can not commence to-morrow if we dispose of the measure to-night, and everybody knows that before he can make the arrangement, the farmer who is going to get seed must find it out before he plows the land where the seed is going to be sown or planted. It is going to take a little time to set up the machinery and put it in order. Every hour counts.

We knew—we thought we knew, we might have been wrong—that Congress was going to adjourn to-morrow, and if we refused to bring in a report and Congress adjourned it would be two weeks before we could have another opportunity to pass on it. Delay was staring us in the face; and I am not one of those who cares about adjourning, either. I will vote against adjourning and stay here all the time; and the other conferees are not anxious to adjourn. But we have been here some time, and we realize what happens when a holiday comes along. I have seen attempts made, and I have made them in connection with others, to prevent a holiday recess, and we did not get to first base. We tumbled over each other for a holiday recess, and we are going to have one this time, I think. The same thing will happen again; and I am not complaining of the man who wants a holiday recess. It is almost immaterial to me. I think that is true of most, if not all, of the conferees. They probably will not be able to go home, anyway; so that did not move us. It was not because we were anxious to get away or have a recess, but because we knew from experience that that had been the usual custom of Congress, so far as I know, without any exception; so we are confronted with it.

Mr. HEFLIN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Alabama?

Mr. NORRIS. In a moment I will yield.

We were confronted with the fact that even in the House, where under their rules a conference report must lie over one legislative day and can not be taken up except by unanimous consent, in order to meet that contingency the House conferees had succeeded in getting a unanimous-consent agreement in the House that permitted the House conferees to have until 12 o'clock last night to file this conference report, so as to obviate the difficulty that would arise, if it should not be filed until to-day, of compelling it to go over until to-morrow. They have taken even that precaution, and we knew that if we failed to agree on a

conference report so that it could be written up and signed before 12 o'clock another day would have been lost with the possibility that an adjournment might take place before the conference committee report could be acted on.

I now yield to the Senator from Alabama.

Mr. HEFLIN. Mr. President, the Senator will agree with me that there can be no adjournment unless this end of the Congress agrees to it.

Mr. NORRIS. Yes.

Mr. HEFLIN. What is the necessity for hastening adjournment on to-morrow instead of next Tuesday?

Mr. NORRIS. I do not care about adjourning to-morrow. I do not care about adjourning next Tuesday. I am willing to stay here on Christmas and Sundays.

Mr. HEFLIN. I understand that adjournment to-morrow until the 3d or 5th of January is being suggested.

Mr. NORRIS. Yes; I understand that tentatively an adjournment has been agreed upon, to commence to-morrow. That may not go through. I do not know.

Mr. HEFLIN. To what time in January?

Mr. NORRIS. I do not remember. I do not know that I heard, and I do not care.

Mr. HEFLIN. My position is that if this conference report should be rejected, and if the conferees should go back and ask for a further conference with the House, they could get the word "food" inserted.

Mr. NORRIS. That may be. The Senator may be right; and I am coming to that in a few minutes.

Mr. HEFLIN. We could work on it until next Monday, at least, and then adjourn on Tuesday.

Mr. NORRIS. That may be. If the House and the Senate had said to the Senator from Alabama, and perhaps to me with him, "You can fix this up just as you want to; we will adjourn when you say," that would be all right; but they will not do that. I have tried it before. Maybe the Senator can do it; but I tried it, and failed. I saw several of us try to prevent a holiday recess, and I saw the machine run over us and flatten us out in five minutes' time. We were out of breath; we were all gone; and I expect to see that happen again.

I am willing to go with the Senator from Alabama, get in front of the machine, and let it run over us again, if he wants to; but we can not foresee—and the conference committee of the Senate could not foresee—that there was going to be a different result next time than there always has been in the past. So we were confronted with a condition: An adjournment in front of us; suffering all over the United States; take a half loaf or get no bread. That is what was put up to us, and we decided to take a half loaf.

I am not ashamed of it. I would do it again. I think we were right, although the representations made to us may have been wrong all the way through. Perhaps if we had stood out, and not had any agreement, there would have been no conference report here to-day. I do not know what would have happened. There would not have been any report. Somebody would have had to take some action to get the conferees together again. I do not know how it would have come out. Maybe you know. Maybe these other Senators know more about how to run that than I do, and more than the other conferees do; but we thought we were up against a stone wall. We did know—I think we knew—that as far as the House conferees were concerned, we could not have gotten a penny more.

We do not like this conference report any more than anybody else does. We did not want to prevent the loaning of money for the purpose of buying food for starving men, women, and children. We were all in favor of the food provision of the Senate joint resolution, just as much as you are, and I think we have food in it yet, as I am going to try to explain a little later on in my remarks. It is not in the measure as I should like to see it there. It is not in the measure as the other conferees would like to have had it. There is no question about that; but we had to take it indirectly or not get it at all, and this is what we got.

I had not any doubt but that food was in there. I have some doubt now. The only reason I have doubt is because Senators much more learned than I take the opposite view. My education was very sadly neglected when I was young, and, of course, there are other Senators here with college educations, and who have several capital letters with periods after them following their names; and they may know how to construe this language better than I. I confess that I have some doubt now. I did not have any when the report was made. There was not anybody on the conference committee who had any doubt then; but we have heard Senators who, I will concede, know much more than I do, say that it is not in the measure; and they may be right. They may be right.

I confess I would have agreed to the conference report even if the qualifying words that we succeeded in getting in had been left out. I would rather have taken \$30,000,000 than nothing. In other words, I would rather have taken the House joint resolution than to get nothing.

It may be, in the administration of this law, if the Secretary of Agriculture has his eyes opened by the fact that there are millions and millions of people suffering that he did not know about before, that that which is the most acute he can relieve with what there is in the joint resolution, and come back and get some more money to finish the job. That may be.

It is said that the administration of this measure must go to a Secretary of Agriculture who has no sympathy with that. Now, that is all true. Nobody understood that better than your conferees did; but they were not to blame for that. The Senate passed a joint resolution providing that the Secretary of Agriculture should be the instrumentality by which these loans should be made and this relief should be given. The House joint resolution was in identically the same language. We could not change that. We had no authority to change that. Do not blame us. Blame yourselves. You did it. You are to blame for it. If that is wrong, why did you not strike it out, and let somebody else administer the act?

Both the House and the Senate joint resolutions, with very few exceptions, are word for word, comma for comma, and period for period exactly the same; and everybody knows that as a parliamentary proposition your conferees could not change that. We were helpless. You are to blame because you passed it in that form. If that form is wrong, blame yourselves. Criticize yourselves a while for what you did. You knew that the Secretary of Agriculture did not want to distribute food when you passed the Senate joint resolution, did you not? It was no secret. He had not covered it up. You knew he was unfriendly to that kind of a distribution when you passed it. Why did you put it in his hands? Why did you not put it in somebody else's hands? Do not blame us for your own blunders, if they are blunders; for your own mistakes, if they are mistakes; for your own carelessness, if it was carelessness. That has passed the stage of dispute. That has passed beyond the point of argument. The Senate and the House have both agreed, word for word, that the Secretary of Agriculture shall be the person to administer this relief, and he is unfriendly as far as the use of food is concerned. He is opposed to a \$60,000,000 appropriation. He thinks the smaller amount is right. You knew that when you passed it. We all knew it. Do not blame the conferees. They could not help it.

Mr. President, I think the Senate conferees were confronted with the fact that they had to take what they brought to you or bring you nothing. They had to do one or the other. The conference did not last very long. Everybody knew we had to get through by 12 o'clock if we were going to get anything. We only had until then to do it if we were to permit the House conferees to file their conference report before the end of the day and prevent it going over until to-morrow, which would have been the last day, probably; and we were informed that there was some doubt about there being a quorum here even on Saturday. I have seen those things happen before.

That might happen; somebody might make a point of order, and we might not be able to get action, and again the delay would come. So we said, "We must do this before 12 o'clock. We must agree to something." The conference committee broke up twice, conferees left, and then were soothed down again and brought back and went over the matter again, when they were reminded of the fact that unless we made some kind of a report there was going to be suffering all over the United States which was not going to be alleviated. They came back again, took up the matter again, started at the beginning again, went all over it again, and I want to say to the Senate that I am just as much convinced as that I am standing on the Senate floor now that there never would have been a report if the Senate conferees had not agreed that in the language of the report the word "food" should not appear. Perhaps that may seem foolish to Senators, perhaps it is foolish, I am not denying that, but that is what we were confronted with. We wanted to put in a provision for food without saying it, and we tried our best to do it, and I think we succeeded. I have to admit, however, that where there is some matter of doubtful construction, the Secretary of Agriculture, who is unfriendly to our stand, is to pass upon it, that is true. But I saw no escape from that, and I do not see any now.

Mr. SMITH. Mr. President, I would like to ask my colleague on the conference committee whether it was not true that we could have come nearer, perhaps, to getting a larger amount, than we could have to retaining the word "food."

Mr. NORRIS. I will say to my colleague, and I think he will bear me out, that no matter what we had done, no matter if we had said, "Let the authorization remain at \$30,000,000," we could not have gotten the word "food" in.

Mr. SMITH. That is the point I am making.

Mr. NORRIS. We were simply told, "There will be nothing done unless the word 'food' is out."

The conferees on the part of the House were not unanimous. There was one of the conferees on the part of the House who was with us all the way through in everything we tried to do, but he was in the minority, of course; and I will say for the others that the reason they gave to us was that it was not so much what they thought about it, but what they were convinced the House thought about it. They did not think they could put through the House any such conference report as we suggested. I have no doubt but that they were perfectly honest in what they were telling us, and I took it that they knew what they were talking about. I became convinced that they did. I am not criticizing any member of the conference on the part of the House. I want that understood. I think they were acting in perfect good faith when they said, "We can not put that through the House." They convinced us that they could not do it; at least, I believe that. I admit they may have been wrong. Perhaps I was wrong. Perhaps if we had refused to agree, something would have happened that would have brought about a better solution of this matter than we have brought to the Senate. I have to admit that.

Mr. SMITH. The Senator will admit that if there had not been a recession on that word "food," the conference would have broken up, so far as last night was concerned?

Mr. NORRIS. There is no question about that, no question whatever about it. We were told that over and over again. We wanted to fix the authorization at \$60,000,000. I agree with the argument that is made about the \$60,000,000—we made it numberless times last night—that it is not an appropriation, it is only an authorization, and the Secretary of Agriculture would not be required to spend it if he did not want to. It would all be in his hands. It seems perfectly plain to me.

I suppose Senators feel that it is so plain that everybody ought to agree to it and say to the Secretary, "Here is \$60,000,000; you do not need to use more than \$5,000,000; you do not need to use a million unless you want to. It is a matter of discretion with you." We could not do anything, nevertheless. We have done the best we could. At least we

believed, and we believe yet, that it was the best we could get, and that if we had not accepted it there might be, God only knows how much delay. For that reason we agreed.

I want to say just a word about the construction of this language. There are a few changes, but as far as the grammatical construction is concerned, there is no difference between the House resolution and the Senate resolution. If Senators will take one, I will read the other, and if they will follow through they will see that there is a difference of only a word or two which has nothing to do with real meaning.

I want Senators to look on page 3, line 4, after the word "States," and to strike out down to line 5 through the word "exists." That is a parenthetical phrase. Eliminate that. It helps to make the construction clear. That is the practice that was followed away back in the old log schoolhouse where I went. If there was some misunderstanding about what a clause meant, we would take part of it out that had no direct connection with what was attempted to be said, but was like a parenthetical phrase. Now, let me read this:

That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas of the United States—

Then comes the parenthetical phrase—

where he shall find that an emergency for such assistance exists, for the purpose of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors, used for crop production, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture.

There is a period there, and that is the end of that sentence. I have read only one sentence. Take out the parenthetical phrase and read it again:

That the Secretary of Agriculture is hereby authorized—

Take out the little parenthetical phrase there—

to make advances or loans to farmers in the drought-stricken areas of the United States for the purchase of seed of suitable crops, fertilizer, feed for work stock, fuel and oil for tractors—

Now, leave out the next parenthetical clause—

and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture.

That is the sentence with the parenthetical clause left out. We changed that by striking out "of" and inserting "incidental to." Let me read it now with that change and with the parenthetical clauses out:

The Secretary of Agriculture is hereby authorized to make advances or loans to farmers for the purchase of seed of suitable crops, fertilizer, feed for work stock, fuel and oil for tractors, and for such other purposes incidental to crop protection as may be prescribed by the Secretary of Agriculture.

Senators, I think that under that language the Secretary could buy food. We all thought so. As I said, I had no doubt about it until to-day. Now men who are wiser than I disagree and say that that would not cover food. If that is true, then no food can be bought under that provision. Other Senators say, "As long as there is any doubt about it, the Secretary will not do it, because he is opposed to it." I have to concede that that argument is good. I admit it. There was no way on earth to get away from that that I know of. We could not take the Secretary of Agriculture out of the picture, because the Senate had put him in, and so had the House. We had no way of taking away the administration of this law from the Secretary, and I want frankly to concede that under this language as it is the Secretary of Agriculture is not compelled to buy food.

To go back to where we put in the word "food," the same thing could be said, the same argument could be made, that he is unfriendly to it, and therefore that he would not include food. He would not have to under the Senate resolution. Just read it and see. It would be discretionary with him. A mandamus could not be brought to compel him to do anything under it. It would all be discretionary. He could look a starving man in the face and say he did not need food, if he wanted to, and you could not help yourself. So, as far as that argument is concerned, it is just as good applied to the Senate resolution as applied to the modified House resolution which the conference committee has re-

ported, and in their calm, deliberate moments, if they will look at it, Senators will agree that that is true.

Mr. President, if this joint resolution is passed as the conference committee has reported it, in other words, if the conference committee report is agreed to, this will be a law to-morrow, assuming the President will sign it, and I assume he will. I think it will be found, from what I have heard about it, that if an honest study is made of it, it will be found that the amount we put in the measure will not be enough. There will be found the necessity for getting food for many starving people, and I think the officials ought to do so. I believe they will. But if they do not, even for the other purposes, the feed and the seed for crops, when they begin to administer the law in localities where the farmers must be getting the feed ready now, they will use all this money before they will reach the more northern part of the country where assistance is necessary. They will probably use all this money, and we will have an opportunity to supply more if they find that to be the condition. On the other hand, I think that if we had rejected the conference report, and there had been no report, and should be no law, there would be thousands of farmers who would be unable next year to put in a crop because they would be unable to get seed.

Therefore it seems to me that as an act of common mercy, as an act of common justice, confronted, as we are, with the fact that the House of Representatives has disagreed with us, that they will not agree with us, and that we must come to their proposition or get nothing, there is nothing to do but to adopt this conference report.

If there had not been an emergency, there would not have been a conference report here in this form. If it had not been that there was suffering which we wanted to relieve at once, the conferees on the part of the Senate would not have agreed to what we had to agree to. We felt that we had to agree on account of the exigencies of the case. There was something confronting us of human suffering, and we felt that the only possible way through which relief could be afforded, although it was not what we wanted, was for us to do something, and to do it quickly.

Mr. HEFLIN. Mr. President, may I ask the Senator just one question?

Mr. NORRIS. I yield.

Mr. HEFLIN. Is it the belief of the Senator that the Senate conferees have accomplished all that it is possible for them to accomplish on this particular measure?

Mr. NORRIS. I think so. If I had not thought so I would not have acted on the report as I did.

Mr. SMITH. Mr. President, I want to say a word, as I was one of the conferees. I am sure there is not a Senator here who knows me intimately who would accuse me of being indifferent to the suffering that is abroad, especially among the farmers.

I invite the attention of the Senate to the fact that the Budget recommended \$25,000,000. That is an organization which has been set up by the Congress to guide us in the expenditure of money in emergencies and outside of emergencies and to keep us advised as to what is in the best interests of the public. The Budget is our standing committee. The House, with its Members fresh from the country, increased that amount \$5,000,000, making a total of \$30,000,000. The Budget, which is supposed to go into the relation of things and advise us, said \$25,000,000. The House, a coordinate body with this body, said \$30,000,000.

Then this body said \$60,000,000. It was not conceivable, in view of this cumulative evidence on the other side, that we could, in justice to the emergency to which the Senator from Nebraska [Mr. Norris] has called attention, stand out and get the \$60,000,000. If there had been no emergency, yet in view of the influence of the Budget, in view of the influence of the other body with this body, I doubt if we could have gotten the \$60,000,000.

It was shown to the conferees on the part of the other body that this is an authorization, that it is not an appropriation, and that every business in the world which wants to meet adequately a condition always has a reserve to take care of some condition which might not have been foreseen.

It was argued that every business man has a reserve force; that every business in the world which carries on has a little more capital than the actual business in the ordinary run of affairs requires.

We stood out for the \$60,000,000 and tried to show them that it was only an authorization; that no man could estimate and calculate to a certainty the widespread and unprecedented disaster which had overtaken the country. They did not seem to appreciate, and most of our Members in this body do not seem to appreciate, that two disasters have occurred, the cumulative effect of which has paralyzed the commercial and financial interests of the country—one an unprecedented drought in the heart of the food and clothing regions of the country, the other a financial depression world wide. The people suffering from the visitations of providence, had we been in the midst of prosperity, might have received such immediate aid as to make the emergency legislation unwise or not so exigent; but we had entered a financial and economic condition which, outside of any drought, might have called for our support of those of meager means, and there was added to it this other condition.

I said to my colleagues in the conference that I considered our plan the best form in which to relieve the starving in the country. We do not give them a dole. We say to them: "We are going to lend you this money to feed you and your work stock and to buy seed and give you a chance with self-respect and manhood to come back under the loan of the credit of the United States." I recognize, and every Senator should recognize, that the minute a red-blooded American citizen is forced by adverse circumstances to hold out his hand as a mendicant to get a loaf of bread and a bowl of soup as a matter of charity, we have destroyed the Americanism and the manhood and the self-respect of that individual.

I pleaded with my colleagues to use this as a means of maintaining the self-respect of the American citizen who, caught in this maelstrom of disaster, has been divested of every means of feeding himself and those dear to him, and not to destroy his self-respect. It is a loan rather than a gift. The bread line that is stretching across the country is made up of men whose self-respect is dead. There is not a man on the floor of the Senate who, if adverse circumstances forced him to ask for a loaf of bread and a bowl of soup, would not fail to lose his self-respect and whose patriotism would not be discouraged. It was to prevent such a thing that I pleaded.

The House conferees said, "We will not consent to have that word 'food' in the bill. What right have you to grant an appropriation for bread for the farmer and deny it to the city man? Make an appropriation for all the hungry or make appropriations for none." I thought this was the more prudent way, because we are lending these people the wherewithal with which to produce their bread and they can feed themselves while they are producing bread for the others.

We could not agree on that and so, as the Senator from Nebraska said, we were up against a stone wall. I could not convince those men; at least I could not persuade them to see this problem from the angle from which I saw it. I did my best to convince them. I want to say in behalf of my colleagues from the Senate that nothing forced us to sign this conference report but the fact that it was an emergency which brooked no delay. Seed must be provided and must be planted. Feed must be supplied for livestock that is perishing, upon which the farmer is dependent.

We thought that, under the language which we have interpreted as giving the Secretary of Agriculture ample room in the interpretation of the law, if he thought it was necessary to feed the starving families, he would do so. It flashed over my mind that if we wrote this language in there the responsibility would be upon him and not upon us. If I could not get the explicit word "food," I, at least, could get language so plain and clear that the Secretary of Agriculture could interpret that language to authorize him to supply food. Certainly if the man at the head of that department of our Government under his Commander in

Chief, the President, in the administration of this measure does not respond to starvation, he is unworthy of his high office.

When we incorporated that language, "incident to the production of crops," though I may not know the tricks of the legal profession, I was convinced as just a common-sense proposition that we had opened the door without a direct command to give him the opportunity to respond to suffering humanity. When we reached that point I said, "I am ready to sign that part of the report."

The other part, to my mind, did not constitute so great a difficulty, being the difference between \$45,000,000 and \$60,000,000, because I took it that the \$45,000,000, if it is found inadequate in its distribution, surely will be increased. If we are advised that it is inadequate, we will attempt to stem the tide of distress and starvation, we can go to the place whence the \$45,000,000 was appropriated and get enough more to meet the situation.

To have my motives questioned and to have it charged that I yielded without justification is unthinkable. Who is standing here and saying that I am less responsive to the suffering of those in the same business I am in than he is? I did not intend ever to criticize any of my colleagues, but a lot of talk that we hear in this body is politics, said for political effect only. "See what I would do," some one says. Why does he not do it? "I see the need of humanity so clearly. See what I would do!" Why does he not do it? He will find that he has to consult other people who are just as honest in their opinions as he is. He would try to make the impression upon the masses of American people that he would be the Moses to lead them out of the wilderness of starvation. Why does he not lead them? If other people will not let him have his way, why not admit that perhaps some others see it in a different light and are just as honest as he is?

Mr. President, I did all that I could do. I do not ever want to put myself in a class with the fellow who was on the jury. When they came out and the judge asked why the jury did not reach a verdict, he said, "There were 11 of the infernal fools on that jury that I ever saw. There were 11 against me, and therefore we could not reach a verdict." [Laughter.]

This conference report is a matter of compromise. What bill of any importance has ever been brought forward for consideration between the two Houses that did not result in a compromise? I would have voted and stand ready to vote now for a direct appropriation out of the Treasury to feed the hungry. If we can devise the means to so feed them so as to keep their self-respect, and not put them in the bread line and feed them like hungry beasts, if we can find a way by which we can encourage them to earn the food for which we appropriate, I shall be glad to vote for such a plan.

No, Mr. President; nobody played politics in the conference on this matter. I never was with conferees on the part of the Senate whom I believe are as far removed from any political influence as the two who served with me. I have been in the Senate a long time, and those two are ever responsive to the needs of the people and are as honest in their efforts to serve them as any two men who can be found in this body. It is unjust and unfair for anyone to stand here and criticize us in this hour of emergency for doing what was manifestly our duty. I am proud that we got as much out of it as we did.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hal-tigan, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States.

The message also announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 253) to provide for the expenses of a delegation of the United States to the sixth meeting of the Congress of Military Medicine and Pharmacy to be held at Budapest in 1931.

The message further announced that the House further insisted upon its disagreement to the amendments of the Senate Nos. 11, 12, and 14 to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 444) making appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives, and it was signed by the President pro tempore.

CHICAGO WORLD'S FAIR CENTENNIAL CELEBRATION (H. DOC. NO. 698)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report of the committee which I was authorized to appoint (Public Res. No. 92, 71st Cong., 2d sess.) for an investigation into the question of representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities.

The findings of this committee include recommendations that the Government be represented in the person of a commissioner under the direction of a commission composed of the Secretary of State, the Secretary of Agriculture, and the Secretary of Commerce; that in order to effect economies the organization of this commission and the authorization and appropriation of funds be expedited; and that a certain latitude be conferred upon the commission and the commissioner in the expenditure of public funds, as well as in the employment of personnel.

I commend to the favorable consideration of the Congress the inclosed report of the committee to the end that legislation may be enacted to authorize an appropriation of \$1,725,000 for the expenses of representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities in accordance with the recommendations of the committee.

HERBERT HOOVER.

THE WHITE HOUSE,

Washington, December 19, 1930.

TREASURY AND POST OFFICE APPROPRIATIONS (S. DOC. NO. 234)

Mr. MOSES (Mr. Fess in the chair). I present the report of the committee of conference on House bill 14246, being the Treasury and Post Office appropriations bill, in order that it may be printed in the RECORD. I give notice that I shall seek at the earliest opportunity to-morrow to have it considered by the Senate.

The report was read and ordered to lie on the table, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 26, 27, 31, 32, 33, 36, 37, 38, 39, 40, 41, 45, 46, 47, 48, 49, 50, 51, 53, 54, 55, 58, 59, 64, 65, 67, and 68.

That the House recede from its disagreement to the amendments of the Senate numbered 29, 42, 43, 60, 61, 62, 63, and 69, and agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For establishing and equipping a Coast Guard station at or near Port Orford on the coast of Oregon as authorized in the act entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1892, and for other purposes,' approved March 3, 1891 (26 Stat. 958), to be immediately available, \$83,500."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$32,606,422"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$397,984"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,102,090"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,576,360"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$540,240"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$80,640"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$207,140"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 21, 24, and 66.

GEO. H. MOSES,
REED SMOOT,
WM. J. HARRIS,
CARTER GLASS,

Managers on the part of the Senate.

WILL R. WOOD,
GUY U. HARDY,
GEO. A. WELSH,
JOSEPH W. BYRNS,
WILLIAM W. ARNOLD,

Managers on the part of the House.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION—CONFERENCE REPORT

Mr. JONES. Mr. President, I desire to present a conference report.

Mr. GEORGE. Mr. President, I inquire if that is the conference report on the emergency construction bill?

Mr. JONES. It is.

Mr. GEORGE. Is it the Senator's purpose to move that it be taken up this afternoon?

Mr. JONES. That question can be determined when we reach it. Some thought it might be taken up and some thought otherwise. I want to suggest to the Senator that the conference committee simply reports a disagreement, and I should like to have that report agreed to, anyway, and then I propose to make a motion to recede from certain amendments. The question will then be whether we will take that subject up to-night or let it go over.

Mr. GEORGE. I should like to have some understanding about it. It is not in order, is it?

Mr. JONES. It is in order; it is a privileged matter.

Mr. GEORGE. But when was the report brought in?

Mr. JONES. I am presenting the report of the conference committee.

Mr. GEORGE. I hope the Senator will not make his motion until to-morrow morning. Of course, the report can be laid before the Senate.

Mr. JONES. I thought it was the program that I should make the motion, and let it lie over until to-morrow.

Mr. GEORGE. With that understanding, I will not raise an objection.

Mr. JONES. I am perfectly willing to let it take that course. I will inquire of the Senator from Indiana what is his desire in the matter?

Mr. WATSON. Mr. President, I have been of the impression that we might conclude the relief bill conference report presented by the Senator from Washington [Mr. JONES], but the Senator from Michigan [Mr. COUZENS] says he is not willing to proceed at this time. His amendment is the main bone of contention, and I have no desire to force him into a consideration of the matter to-night. My thought is that we should adjourn until 11 o'clock to-morrow morning.

Mr. HEFLIN. I was about to make that suggestion.

Mr. SMOOT. Mr. President, I should like to have the Interior Department appropriation bill considered to-night. Outside the amendments that affect salary increases, there are only about five amendments, and I know of no particular objection to any of them.

Mr. THOMAS of Oklahoma. Mr. President, I proposed to the committee certain amendments to the Interior Department appropriation bill. I do not know what consideration was given to them, but the bill as reported does not embrace the amendments, save one which is entirely immaterial. I have some amendments to suggest to the measure, and will take some little time, in all probability, to consider them unless the Senator will accept the amendments and let them all go to conference. Then I will not care to take any particular time on them.

Mr. MOSES (Mr. Fess in the chair). Suppose the amendments should be subject to a point of order?

Mr. THOMAS of Oklahoma. I have no objection to a point of order being raised against them.

Mr. SMOOT. I will say to the Senator that two of the amendments to which the Senator refers are subject to a point of order, and I should feel compelled to make a point of order against them.

Mr. WATSON. Is there any way to determine, may I ask the Senator from Utah, how much time the consideration of the Interior Department appropriation bill will require?

Mr. SMOOT. I understand the Senator from Arizona has one amendment to offer, which will take about 15 minutes, so he tells me.

Mr. WATSON. Mr. President, I should like to say that the matters before us of prime importance are the relief bill, the conference report on which the Senator from Washington [Mr. JONES] is ready to present; the Interior Department appropriation bill; the conference report just submitted by the Senator from New Hampshire [Mr. MOSES] on the Treasury and Post Office Departments appropriation bill; the bill providing a \$150,000,000 appropriation for the Farm Board; and the confirmation of at least another member of the Power Commission, so that that body can organize. All those measures must be considered to-morrow or before we

adjourn. Of course, just the order in which they should be acted upon is for the Senate to decide. If I had my way about it, I would have the measure in charge of the Senator from Washington come up first, because it is of primary importance; and then permit the Senator from Utah to proceed with the appropriation bill.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. WATSON. Certainly.

Mr. COUZENS. We have a unanimous-consent agreement to consider the confirmation of members of the Power Commission after the conference report on the relief measure shall have been disposed of.

Mr. WATSON. That is quite true.

The PRESIDENT pro tempore. The Senator from Michigan is correct. There is a unanimous agreement, under which the Senate is acting, according to which nominations of members of the Power Commission must be considered to the exclusion of everything else except conference reports.

Mr. WATSON. But the Senator from Washington has presented a conference report.

Mr. McNARY obtained the floor.

Mr. HEFLIN. Mr. President, let me make a suggestion.

The PRESIDING OFFICER (Mr. Fess in the chair). The Senator from Oregon has the floor. Does he yield to the Senator from Alabama?

Mr. HEFLIN. Let me make a suggestion. I suggest to the Senator that the Senate meet at 10 o'clock to-morrow morning.

Mr. McNARY. Mr. President, the Chair is entirely correct in his analysis of the parliamentary situation. Only by unanimous consent can we do away with the arrangement which was made yesterday. I fear it will be impossible to get a quorum at this late hour in the afternoon, and I move that the Senate adjourn until 11 o'clock to-morrow morning.

Mr. JONES. Mr. President, will the Senator withhold the motion for a minute?

Mr. McNARY. I will if the Senator desires.

Mr. JONES. Mr. President, the adoption of the conference report which I have presented is merely a pro forma matter. If it be agreed to, then the amendments which are in disagreement will be before the Senate. So I should like to have the conference report agreed to and to enter a motion to recede. Then a motion to adjourn can be made, and the motion to recede can go over until to-morrow.

Mr. GEORGE. I have no objection to that.

The PRESIDENT pro tempore. At any rate, the conference report may be read for the information of the Senate.

The Chief Clerk read the report of the committee on conference on House bill 14804, as follows:

The committee of conference on the disagreeing votes of the two Houses on amendments Nos. 11, 12, and 14 of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, having met, after full and free conference have been unable to agree.

W. L. JONES,
REED SMOOT,
FREDERICK HALE,
CARTER GLASS,
E. S. BROUSSARD,

Managers on the part of the Senate.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,

Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JONES. Now, Mr. President, I move that the Senate recede from amendments numbered 11 and 12, and after that motion is put the Senator from Oregon can make his motion.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington, to recede from amendments numbered 11 and 12, and on that question the Senator from Washington has the floor.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. NORRIS. The decision of the Chair a while ago was that no other business except the conference report should be considered.

The PRESIDENT pro tempore. Except by unanimous consent.

Mr. NORRIS. I take it that the motion of the Senator from Washington is not a conference report.

Mr. JONES. The conference report is being considered and the motion is now pending.

Mr. NORRIS. Exactly, but that is not a part of the conference report.

Mr. JONES. It is a part of the conference report.

Mr. NORRIS. I do not think so.

ADJOURNMENT

Mr. McNARY. I move that the Senate adjourn until 11 o'clock a. m. to-morrow.

The motion was agreed to; and (at 6 o'clock and 23 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 20, 1930, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate December 19, 1930

CIRCUIT JUDGE, TERRITORY OF HAWAII

Daniel H. Case, of Hawaii, to be circuit judge, second circuit, Territory of Hawaii. He is now serving in this office under an appointment which expired July 2, 1930.

UNITED STATES MARSHAL

Francis M. McCain, of Kentucky, to be United States marshal, western district of Kentucky. He is now serving in this position under an appointment which expired March 10, 1930.

SURVEYOR OF CUSTOMS

Arthur C. Lavergne, of Louisiana, to be surveyor of customs in customs collection district No. 20, with headquarters at New Orleans, La., to fill an existing vacancy.

COLLECTOR OF CUSTOMS

Warren Kearny, of Louisiana, to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La., to fill an existing vacancy.

POSTMASTERS

ARKANSAS

E. Ben Millard to be postmaster at Horatio, Ark., in place of Helen Porter, deceased.

Georgia L. Stuart to be postmaster at Manila, Ark., in place of Maie Pierce. Incumbent's commission expired June 12, 1930.

CALIFORNIA

Vernie E. Sherraden to be postmaster at Ludlow, Calif., in place of L. E. Reed, resigned.

Joseph P. Berry to be postmaster at Santa Rosa, Calif., in place of J. P. Berry. Incumbent's commission expired December 11, 1930.

Chester D. Mathews to be postmaster at Susanville, Calif., in place of C. D. Mathews. Incumbent's commission expired December 11, 1930.

CONNECTICUT

Edward Adams to be postmaster at Taftville, Conn., in place of Edward Adams. Incumbent's commission expired December 13, 1930.

FLORIDA

Milton F. Thrasher to be postmaster at Bradenton, Fla., in place of W. D. Griffin. Incumbent's commission expired May 26, 1930.

Add Joyce to be postmaster at Cedar Keys, Fla., in place of Add Joyce. Incumbent's commission expired December 13, 1930.

Irma H. Smith to be postmaster at Hastings, Fla., in place of I. H. Smith. Incumbent's commission expires December 21, 1930.

Gillian A. Sandifer to be postmaster at Lake Helen, Fla., in place of G. A. Sandifer. Incumbent's commission expired December 13, 1930.

William W. Rees to be postmaster at Tavares, Fla., in place of W. W. Rees. Incumbent's commission expired December 13, 1930.

HAWAII

R. T. Christoffersen to be postmaster at Kahuku, Hawaii, in place of T. G. S. Walker, resigned.

ILLINOIS

Arvil C. Allen to be postmaster at Elkhart, Ill., in place of A. C. Allen. Incumbent's commission expired December 11, 1930.

John F. Gilman to be postmaster at Farmersville, Ill., in place of J. F. Gilman. Incumbent's commission expired December 14, 1930.

INDIANA

Marvin E. Elkins to be postmaster at Morgantown, Ind., in place of Irwin Knight. Incumbent's commission expired January 6, 1930.

Taylor H. Johnson to be postmaster at Plainfield, Ind., in place of T. H. Johnson. Incumbent's commission expired December 13, 1930.

Clyde H. Fee to be postmaster at Waterloo, Ind., in place of C. H. Fee. Incumbent's commission expired June 7, 1930.

IOWA

Lyman H. Henry to be postmaster at Charles City, Iowa, in place of L. H. Henry. Incumbent's commission expired December 10, 1930.

William T. Stockton to be postmaster at Perry, Iowa, in place of G. C. Parsons, resigned.

Frank J. Shearer to be postmaster at Prairie City, Iowa, in place of F. J. Shearer. Incumbent's commission expired December 16, 1930.

Charles P. Ell to be postmaster at Rudd, Iowa, in place of C. P. Ell. Incumbent's commission expires December 21, 1930.

KANSAS

Jacob L. Ritter to be postmaster at Bronson, Kans., in place of J. L. Ritter. Incumbent's commission expired December 13, 1930.

Judson M. Cramer to be postmaster at Gardner, Kans., in place of J. M. Cramer. Incumbent's commission expired December 14, 1930.

Lot S. Hadley to be postmaster at Glen Elder, Kans., in place of L. S. Hadley. Incumbent's commission expired December 14, 1930.

Charles O. Bollinger to be postmaster at Iola, Kans., in place of C. O. Bollinger. Incumbent's commission expired December 13, 1930.

Gilbert E. Goodson to be postmaster at La Cygne, Kans., in place of G. E. Goodson. Incumbent's commission expired December 13, 1930.

Louella M. Holmes to be postmaster at Mound City, Kans., in place of L. M. Holmes. Incumbent's commission expired December 13, 1930.

Walter R. Dysart to be postmaster at Parker, Kans., in place of W. R. Dysart. Incumbent's commission expired December 13, 1930.

Belford A. Likes to be postmaster at Pomona, Kans., in place of B. A. Likes. Incumbent's commission expired December 13, 1930.

Elmer Alban to be postmaster at Westphalia, Kans., in place of Elmer Alban. Incumbent's commission expired December 13, 1930.

KENTUCKY

Elbert L. Peairson to be postmaster at Auburn, Ky., in place of F. B. Gordon. Incumbent's commission expired December 15, 1929.

Clarence Neighbors to be postmaster at Bowling Green, Ky., in place of Clarence Neighbors. Incumbent's commission expired May 6, 1930.

Hazel O'Neill to be postmaster at Drakesboro, Ky., in place of J. R. Kimmel. Incumbent's commission expired February 6, 1930.

Lillian G. Hall to be postmaster at Eddyville, Ky., in place of L. G. Hall. Incumbent's commission expired April 3, 1930.

Ed J. Salm to be postmaster at Hawesville, Ky., in place of E. J. Salm. Incumbent's commission expired May 12, 1928.

Melvin C. Bray to be postmaster at Hindman, Ky., in place of M. C. Bray. Incumbent's commission expires December 21, 1930.

Robert L. Jones to be postmaster at Morganfield, Ky., in place of R. L. Jones. Incumbent's commission expired June 1, 1930.

Edna O. Jones to be postmaster at Mortons Gap, Ky., in place of E. O. Jones. Incumbent's commission expired March 2, 1930.

Marvin L. Whitnell to be postmaster at Murray, Ky., in place of M. L. Whitnell. Incumbent's commission expired May 6, 1930.

Myrtle Latta to be postmaster at Water Valley, Ky., in place of Myrtle Latta. Incumbent's commission expired July 2, 1930.

LOUISIANA

William L. Galloway to be postmaster at Arcadia, La., in place of W. L. Galloway. Incumbent's commission expired December 14, 1930.

Joseph P. Lucas to be postmaster at Dodson, La., in place of J. P. Lucas. Incumbent's commission expired December 14, 1930.

MAINE

Ray C. Gary to be postmaster at Caribou, Me., in place of G. H. Howe, resigned.

Harold N. Libby to be postmaster at Richmond, Me., in place of H. N. Libby. Incumbent's commission expired December 14, 1930.

MASSACHUSETTS

Grace G. Kempton to be postmaster at Farnumsville, Mass., in place of G. G. Kempton. Incumbent's commission expires December 21, 1930.

William P. Orr to be postmaster at South Attleboro, Mass., in place of W. P. Orr. Incumbent's commission expires December 21, 1930.

MICHIGAN

Walter E. Banyon to be postmaster at Benton Harbor, Mich., in place of W. E. Banyon. Incumbent's commission expired December 11, 1930.

George H. Batchelor to be postmaster at Buchanan, Mich., in place of G. H. Batchelor. Incumbent's commission expired December 14, 1930.

George A. Mason to be postmaster at Cedar, Mich., in place of G. A. Mason. Incumbent's commission expired December 14, 1930.

Euretta B. Nelson to be postmaster at Climax, Mich., in place of E. B. Nelson. Incumbent's commission expired December 14, 1930.

Charles L. Bean to be postmaster at Conklin, Mich., in place of C. L. Bean. Incumbent's commission expired December 11, 1930.

Minnie McGuineas to be postmaster at Elberta, Mich., in place of Minnie McGuineas. Incumbent's commission expired December 11, 1930.

Christine Anderson to be postmaster at Holton, Mich., in place of Christine Anderson. Incumbent's commission expires December 21, 1930.

Neil W. Roe to be postmaster at Lake Odessa, Mich., in place of N. W. Roe. Incumbent's commission expires December 21, 1930.

Milan A. Smith to be postmaster at Morenci, Mich., in place of M. A. Smith. Incumbent's commission expired December 14, 1930.

Charles T. Fillmore to be postmaster at Quincy, Mich., in place of C. T. Fillmore. Incumbent's commission expired December 14, 1930.

Rush S. Knepp to be postmaster at Schoolcraft, Mich., in place of R. S. Knepp. Incumbent's commission expires December 21, 1930.

Fred E. Pomeraning to be postmaster at Trenton, Mich., in place of F. E. Pomeraning. Incumbent's commission expired December 14, 1930.

MISSOURI

Paul L. Horner to be postmaster at Caruthersville, Mo., in place of P. L. Horner. Incumbent's commission expired December 17, 1930.

William L. Moorhead to be postmaster at Hopkins, Mo., in place of W. L. Moorhead. Incumbent's commission expired December 17, 1930.

NEBRASKA

Minnie C. Burch to be postmaster at Bellwood, Nebr., in place of M. C. Burch. Incumbent's commission expired December 11, 1930.

Max R. Herrington to be postmaster at Millard, Nebr. Office became presidential July 1, 1930.

NEW HAMPSHIRE

Carlton E. Sparhawk to be postmaster at Walpole, N. H., in place of C. E. Sparhawk. Incumbent's commission expired December 13, 1930.

NEW JERSEY

Alfred O. Kossow to be postmaster at Cedargrove, N. J., in place of A. O. Kossow. Incumbent's commission expired December 16, 1930.

Clifford R. Bower to be postmaster at Columbus, N. J., in place of C. R. Bower. Incumbent's commission expired December 14, 1930.

Henry C. Allen to be postmaster at Paterson, N. J., in place of H. C. Allen. Incumbent's commission expires December 21, 1930.

NEW YORK

Seward Latham to be postmaster at Central Bridge, N. Y., in place of Seward Latham. Incumbent's commission expired December 11, 1930.

Joseph W. Mullins to be postmaster at Fallsburgh, N. Y., in place of J. W. Mullins. Incumbent's commission expired December 11, 1930.

Clarence H. Floyd to be postmaster at Port Jefferson, N. Y., in place of C. H. Floyd. Incumbent's commission expired December 11, 1930.

Charles A. Gaylord to be postmaster at North Tonawanda, N. Y., in place of C. A. Gaylord. Incumbent's commission expires January 22, 1931.

Fred Hahn to be postmaster at Tonawanda, N. Y., in place of Fred Hahn. Incumbent's commission expires January 6, 1931.

NORTH CAROLINA

John W. McLean to be postmaster at Rowland, N. C., in place of J. W. McLean. Incumbent's commission expired December 14, 1930.

John H. Williams to be postmaster at Rutherfordton, N. C., in place of J. H. Williams. Incumbent's commission expired December 14, 1930.

NORTH DAKOTA

Anfin Qualey to be postmaster at Aneta, N. Dak., in place of Anfin Qualey. Incumbent's commission expired December 16, 1930.

OHIO

Elsie M. Smith to be postmaster at Sharonville, Ohio, in place of E. M. Smith. Incumbent's commission expires December 21, 1930.

Thomas E. Kidd to be postmaster at Leipsic, Ohio, in place of P. D. Folk, resigned.

OKLAHOMA

John W. Rackley to be postmaster at Cherokee, Okla., in place of J. W. Rackley. Incumbent's commission expires December 22, 1930.

PENNSYLVANIA

Arthur J. Argall to be postmaster at Braddock, Pa., in place of A. J. Argall. Incumbent's commission expires December 22, 1930.

Samuel B. Daniels to be postmaster at Emlenton, Pa., in place of S. B. Daniels. Incumbent's commission expires December 21, 1930.

Isaac W. Edgar to be postmaster at Glenshaw, Pa., in place of I. W. Edgar. Incumbent's commission expired December 28, 1926.

Irvin Y. Baringer to be postmaster at Perkasié, Pa., in place of I. H. Woodard. Incumbent's commission expired December 16, 1930.

Harry H. Carey to be postmaster at Plymouth, Pa., in place of H. H. Carey. Incumbent's commission expired February 6, 1930.

Ralph P. Holloway to be postmaster at Pottstown, Pa., in place of R. P. Holloway. Incumbent's commission expired December 16, 1930.

Henry X. Daugherty to be postmaster at Red Hill, Pa., in place of H. X. Daugherty. Incumbent's commission expired December 16, 1930.

Ade F. Nichols to be postmaster at Shinglehouse, Pa., in place of I. H. Woodard. Incumbent's commission expired June 10, 1930.

Arthur E. Foster to be postmaster at Thompson, Pa., in place of A. E. Foster. Incumbent's commission expired December 16, 1930.

Joseph C. Scowden to be postmaster at Tionesta, Pa., in place of J. C. Scowden. Incumbent's commission expires December 22, 1930.

John F. Hawbaker to be postmaster at West Fairview, Pa., in place of J. F. Hawbaker. Incumbent's commission expires December 22, 1930.

RHODE ISLAND

Mabel J. W. Carton to be postmaster at Little Compton, R. I., in place of M. J. W. Carton. Incumbent's commission expires December 22, 1930.

SOUTH CAROLINA

James M. Graham to be postmaster at Alcolu, S. C., in place of J. M. Graham. Incumbent's commission expired December 14, 1930.

Edward H. Jennings to be postmaster at Charleston, S. C., in place of E. H. Jennings. Incumbent's commission expires December 21, 1930.

Esly O. Greene to be postmaster at Chesterfield, S. C., in place of R. L. Hurst, removed.

Eva H. Groce to be postmaster at Lyman, S. C., in place of E. H. Groce. Incumbent's commission expired December 14, 1930.

Robert L. Henderson to be postmaster at North Charleston, S. C., in place of R. L. Henderson. Incumbent's commission expired December 14, 1930.

Mattie H. Graham to be postmaster at Pomaria, S. C., in place of M. H. Graham. Incumbent's commission expired December 14, 1930.

Maebelle Orvin to be postmaster at St. Stephen, S. C., in place of Maebelle Orvin. Incumbent's commission expired December 14, 1930.

TEXAS

Robert M. Hatcher to be postmaster at Archer City, Tex., in place of M. W. Meyer, removed.

Hugh B. Edens to be postmaster at Big Lake, Tex., in place of H. B. Edens. Incumbent's commission expired December 11, 1930.

Katherine A. Lace to be postmaster at Burleson, Tex., in place of K. A. Lace. Incumbent's commission expired December 11, 1930.

Lou Gammill to be postmaster at Calvert, Tex., in place of Lou Gammill. Incumbent's commission expires December 20, 1930.

Robert L. Jones to be postmaster at Celeste, Tex., in place of R. L. Jones. Incumbent's commission expired December 13, 1930.

John W. Robbins to be postmaster at Clyde, Tex., in place of J. W. Robbins. Incumbent's commission expired December 11, 1930.

Hoyt E. Hager to be postmaster at Mercedes, Tex., in place of H. E. Hager. Incumbent's commission expired December 11, 1930.

Henry C. Arnold to be postmaster at Orange, Tex., in place of H. C. Arnold. Incumbent's commission expired December 11, 1930.

Earl Cassity to be postmaster at Pilot Point, Tex., in place of Earl Cassity. Incumbent's commission expired December 11, 1930.

Pearl M. Parsons to be postmaster at Port Neches, Tex., in place of P. M. Parsons. Incumbent's commission expired December 11, 1930.

Joe R. Taylor to be postmaster at Rhome, Tex., in place of J. R. Taylor. Incumbent's commission expired December 11, 1930.

VIRGINIA

Ferdinand C. Knight to be postmaster at Alexandria, Va., in place of F. C. Knight. Incumbent's commission expires December 22, 1930.

Louise J. Nottingham to be postmaster at Eastville, Va., in place of L. J. Nottingham. Incumbent's commission expires December 22, 1930.

Augustus R. Morris to be postmaster at Jetersville, Va., in place of A. R. Morris. Incumbent's commission expires December 22, 1930.

Georgie H. Osborne to be postmaster at Keysville, Va., in place of G. H. Osborne. Incumbent's commission expires December 22, 1930.

Clinton L. Wright to be postmaster at Norfolk, Va., in place of C. L. Wright. Incumbent's commission expires December 22, 1930.

Albert L. Taylor to be postmaster at Parksley, Va., in place of A. L. Taylor. Incumbent's commission expires December 22, 1930.

Charles V. Tucker to be postmaster at Phenix, Va., in place of C. V. Tucker. Incumbent's commission expires December 22, 1930.

Patrick J. Riley to be postmaster at Portsmouth, Va., in place of P. J. Riley. Incumbent's commission expires December 22, 1930.

WASHINGTON

Frank Morris to be postmaster at Bordeau, Wash., in place of Frank Morris. Incumbent's commission expired December 17, 1930.

WISCONSIN

Leonard A. Krueger to be postmaster at Dalton, Wis., in place of L. A. Krueger. Incumbent's commission expires December 22, 1930.

Clyde C. Ellis to be postmaster at Elkhart Lake, Wis., in place of C. C. Ellis. Incumbent's commission expires December 22, 1930.

Eugene B. Williams to be postmaster at Hurley, Wis., in place of E. B. Williams. Incumbent's commission expires December 22, 1930.

WYOMING

Arthur A. Pugh to be postmaster at Burns, Wyo., in place of Evelyn Colburn, removed.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 19, 1930

MEMBERS OF THE FEDERAL POWER COMMISSION

Ralph B. Williamson to be member of the Federal Power Commission.

Claude L. Draper to be member of the Federal Power Commission.

HOUSE OF REPRESENTATIVES

FRIDAY, DECEMBER 19, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou Lord of glory, nothing is hidden from the eyes of the Eternal; therefore we bow in Thy holy presence in the spirit of humility. O conquer our pride by Thy condescension, heal our differences by Thy sacrifice, and cast out our greed by Thy unsearchable poverty. Approaching the Advent season, may it be our devout purpose that we shall be made humble, perfectly unselfish, and entirely generous. Deep in our breasts, where the tides of emotion ebb and flow and sometimes brooding surges beat, do Thou bestow the blessing of the untroubled heart. We thank Thee for all the blessed intimations which we have of Thy dignity, power, and joy which come to our souls when fashioned by the divine will. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONFERENCE REPORT—EMERGENCY CONSTRUCTION ON PUBLIC WORKS

Mr. WOOD. Mr. Speaker, I call up the conference report on the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The SPEAKER. The gentleman from Indiana calls up a conference report, which the Clerk will report.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 6, 7, 8, 9, and 10.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SPECIAL ROAD ITEMS

"National forest highways: For the construction and improvement of highways within the boundaries of the national forests, fiscal year 1931, \$3,000,000."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth: For the survey, construction, reconstruction, and maintenance of main roads